



Paul Butler Associates

Planning, Development & Heritage Consultants

Paradise Property Ltd

20 South Grove, Manchester, M13 0AU

Prior Notification Evidence Statement

31 March 2021

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Professional Planning, Development & Heritage Advisors since 1992.

Our professional staff are Members of the Royal Town Planning Institute (RTPI) or the Chartered Institute for Archaeologists (CIfA)

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Appendix 1: Valuation Office Agency Information

1. Introduction

- 1.1 This statement has been prepared by Paul Butler Associates on behalf of the applicant, Paradise Property Ltd, to accompany a Prior Notification application for the proposed change of use of 20 South Grove from a shop (Class E , formerly A1 use) to 4no. apartments (use class C3) with associated operational development.
- 1.2 This statement establishes that the change of use of the building to apartments (use class C3) is permitted development and that the conversion will not generate any adverse transport and highway impacts or be at risk from contamination or flooding. It is also demonstrated that the proposed change of use will not have a detrimental impact on adequate provision of services falling within the A1 use class within the local area, the appearance of the building, and that all proposed apartments will receive adequate daylight.
- 1.3 This application is being made under Schedule 2 Part 3 Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Class M confers permitted development rights for the change of use of shops (use class A1) to dwellinghouses (use class C3); subject to prior approval as to transport and highway impacts of the development, contamination risks on the site, flooding risks on the site, the impact of the change of use on adequate provision of services falling within the A1 use class, the design or external appearance of the building, and adequate provision of daylight to all habitable rooms.
- 1.4 In order to provide a clear understanding of the proposal this statement includes:
- A brief description of the application site and surrounding area;
 - An overview of the proposal;
 - A review of relevant planning policy and legislation;
 - A planning appraisal and supporting evidence to demonstrate that the proposal complies with established Class M permitted development rights; and
 - A conclusion.

2. The Application Site and Surrounding Area

The Application Site

- 2.1 The application site is located at 20 South Grove, Manchester, M13 0AU. The site occupies a corner plot at the junction of Upper West Grove and South Grove, and is bounded by residential development in all directions. The property is currently vacant but was most recently in use as a convenience store (previously class A1 'retail', now Class E 'commercial, business and services' following changes to the use class as of 1 September 2020). The upper floor provides residential accommodation ancillary to the retail use.

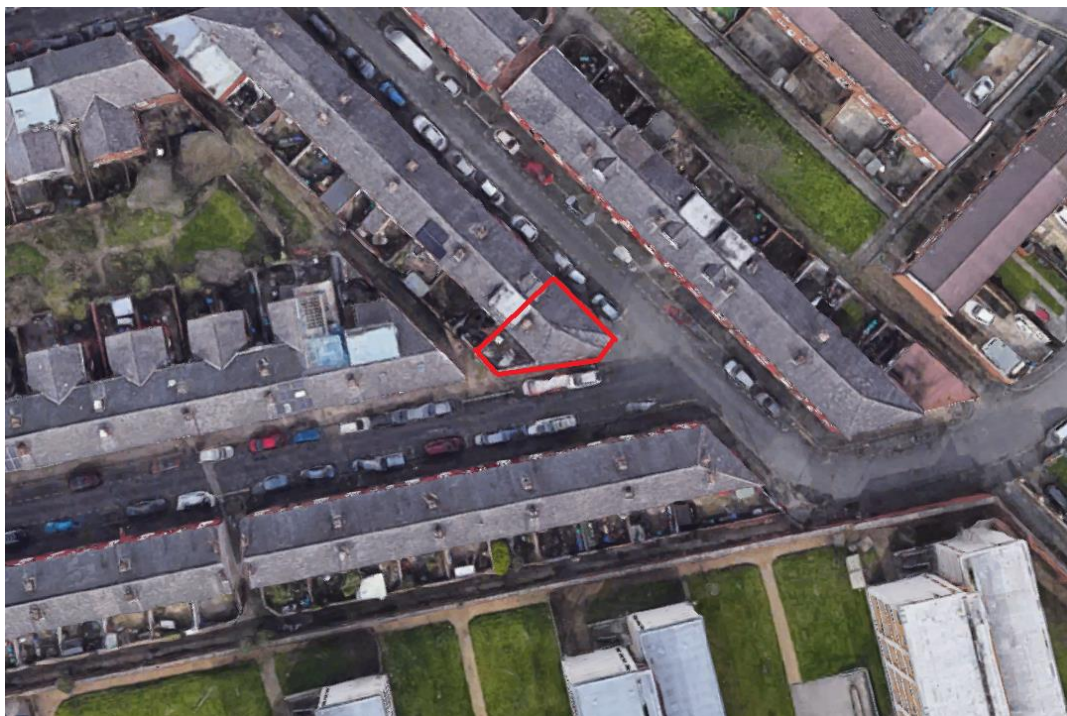


Figure 2.1: Aerial view of the application site (outlined in red).

- 2.2 The application site is occupied in its entirety by a two storey end of terrace property, constructed in red brick with a slate roof. The building has been extended with a two storey flat roof element to the rear. The property features a shopfront and roller shutters at ground floor. The existing windows have been boarded up and there are various other openings

which have been bricked up in a poorly matched brick. The building is understood to have been unoccupied since 2016, and signs vacancy are evidenced by boarded up windows and the dilapidated condition of the building. The site occupies a relatively prominent position being located on a corner plot, but the vacancy and poor visual quality of the building has a negative impact on the appearance of the streetscene.

- 2.3 The application relates to the ground floor and first floor of the property, which is a vacant former retail premises with ancillary residential accommodation. The subject building is not nationally listed nor of any local heritage interest. The building is not located within a conservation area.

Site Planning History

- 2.4 A review of Manchester City Council's online planning database has been undertaken to establish the planning history of the site. Recent applications identified are set out in the table below. None of these have any significance for the proposed conversion of the property to residential use under Class M of the GDPO.

Reference	Proposal	Decision and Date
106261/FO/2014/N2	Erection of roof dormer extensions to front, rear and side elevations in association with formation of additional bedrooms to existing first floor flat.	Approved 7 Oct 2014
118286/FO/2017	Erection of roof dormer extensions to front and rear elevations in association with formation of additional bedrooms to existing first floor flat.	Approved 18 Jan 2018
128313/FO/2020	Change of use of ground floor retail use (Class E) and first floor residential accommodation to form a 7 bedroom house in multiple occupation (sui generis) involving the erection of front and rear roof extensions and the raising of the existing roof height	Withdrawn

The Surrounding Area

- 2.5 The site is located in an established residential area, with the immediate surroundings comprising relatively densely developed terraced housing. The property is not located within a designated centre or shopping area as per Manchester City Councils' proposals map.

3. The Proposal

- 3.1 It is proposed to change the use of the ground and first floor of the building to four apartments (use class C3). Two dwellings will be provided on each floor.
- 3.2 Secure refuse and cycle storage will be provided internally within a dedicated storage room on the ground floor of the property. Waste collection will take place from the Upper West Grove pavement on collection day. Provision of 4 vertical bike racks will offer 100% secure cycle parking.
- 3.3 The application proposes minor external alterations necessary to convert the building to residential use. This involves creation of new window opening and door openings, and the exposing of boarded up windows. The existing roller shutters and shop signage above the shop front will also be removed.

4. Planning Policy Context

- 4.1 The planning policy context to this application is provided by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), relevant National Planning Policy Framework policies, and National Planning Practice Guidance.
- 4.2 Permitted development rights allowing for the change of use of buildings falling within use class A1 (shops) to use class C3 (dwellinghouses) came into force on 6 April 2014, enacted by Statutory Instrument 2014/564. The statutory instrument reformed the Town and Country Planning (General Permitted Development) Order 1995 (as amended). A consolidated Town and Country Planning (General Permitted Development) (England) Order 2015 came into force on 15 April 2015, and replaced the amended 1995 Order (statutory instrument 2015/596). The 2015 Order was then further amended on 6 April 2016 by Statutory Instrument 2016/332, and then on 1st August 2020 by Statutory Instrument 2020/63
- 4.3 Schedule 2, Part 3, Class M of the 2015 Order (as amended) grants permitted development rights for: *“Development consisting of (a) a change of use of a building from – (i) a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order, (ii) a use as a betting office, pay day loan shop or launderette, or (iii) a mixed use combining use as a dwellinghouse with – (aa) a use as a betting office, pay day loan shop or launderette, or (bb) a use falling within either Class A1 (shops) or Class A2 (financial and professional services) of that Schedule (whether that use was granted permission under Class G of this Part or otherwise), to a use falling within Class C3 (dwellinghouses) of that Schedule, and (b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule”.*
- 4.4 Underlined above is the permitted development right which this application proposal seeks to utilise, namely change of use from A1 (shops) to C3 (dwellinghouses) together with associated building operations.

4.5 Paragraph M.2 of the 2015 Order (as amended) advises that the permitted development rights do not apply universally, and certain exemptions accompany the provisions, which are detailed in the legislation at paragraph M.1. This application is considered with regard to these exemptions in section 5.

4.6 The change of use of a building from shops (use class A1) to use as dwellinghouses (use class C3) is permitted subject to the condition that before beginning the development, the developer applies to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

“(a) transport and highways impacts of the development,

(b) contamination risks in relation to the building,

(c) flooding risks in relation to the building,

(d) whether it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order because of the impact of the change of use—

(i) on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops) or Class A2 (financial and professional services) of that Schedule or, as the case may be, a building used as a launderette, but only where there is a reasonable prospect of the building being used to provide such services, or,

(ii) where the building is located in a key shopping area, on the sustainability of that shopping area,

(e) the design or external appearance of the building, and ,

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application”.

4.7 National Planning Practice Guidance advises that prior approval “*means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed...A local planning authority cannot consider any other matters when determining a prior approval application*”

(National Planning Practice Guidance ID 13-026-20140306). The guidance states: *“The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process which applies where the principle of the development has already been established...It is important that a local planning authority does not impose unnecessarily onerous requirements on developers, and does not seek to replicate the planning application system”* (National Planning Practice Guidance ID 13-028-20140306).

5. Planning Appraisal and Supporting Evidence

- 5.1 This section assesses the proposal in relation to the permitted development right exemptions (set out at Paragraph M.1 of the 2015 Order (as amended)) and prior approval assessment criteria (set out at paragraph M.2 of the 2015 Order (as amended)).

Can a Prior Notification Application be made for 20 South Grove?

- 5.2 The permitted development right does not apply in all situations. If any of the exemptions identified in Paragraph M.1 of the 2015 Order (as amended) apply then the change of use of A1 premises (shops) to dwellings is not possible as permitted development.

- 5.3 The proposal is considered with regard to these exemptions below, and it is evident that none apply:

(a) the building was not used for one of the uses referred to in Class M(a)–

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use;

- 5.4 20 South Grove is currently vacant however was last in use as a convenience store (use class A1, now Class E). The building was previously occupied by 'J&S Convenience Store' which is evidenced on Google Street view dating from 2008, and Valuation Office Agency information which is provided at Appendix 1 of this statement. The lawful use of the building continues to be a shop.

(b) permission to use the building for a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order has been granted only by this Part;

- 5.5 The lawful use of the building as a shop (use class A1) was not granted by permitted development rights introduced by Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

(c) the cumulative floor space of the existing building changing use under Class M exceeds 150 square metres;

- 5.6 The application floorspace to be converted by Class M to apartments is 143sqm and therefore does not exceed the 150sqm threshold.

(d) the development (together with any previous development under Class M) would result in more than 150 square metres of floor space in the building having changed use under Class M;

- 5.7 No previous prior approval applications have been submitted to convert floorspace within the building under Class M permitted development rights. This is confirmed by the planning history research set out at Section 2 of this statement.

(e) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

- 5.8 No alteration to the external dimensions of the building is proposed as part of this prior approval application. External alterations involve insertion of new window and door openings, exposing boarded up windows, removal of existing roller shutters and the removal of the existing signage above the shopfront.

(f) the development consists of demolition (other than partial demolition which is reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order); or

- 5.9 No demolition is proposed as part of this application. Only creation of new window openings and door openings is required. Part (f) is therefore not relevant.

(g) the building is—

(i) on article 2(3) land;

- 5.10 The permitted development rights (under Class M of the 2015 Order (as amended)) do not apply on article 2(3) land. Schedule 1, Part 1 of the 2015 Order (as amended) defines Article 2 (3) Land as ‘Land within— (a) an area designated as a conservation area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (designation of conservation areas); (b) an area of outstanding natural beauty; (c) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside)(a); (d) the Broads; (e) a National Park; and (f) a World Heritage Site.’ Manchester City Council’s Interactive Proposals Map has been consulted and confirms that the building is not on article 2(3) land.

(ii) in a site of special scientific interest;

- 5.11 The permitted development rights (under Class M of the 2015 Order (as amended)) do not apply if the building is in a site of special scientific interest. Manchester City Council’s Interactive Proposals Map has been consulted and does not identify the site within a site of special scientific interest.

(iii) in a safety hazard area;

- 5.12 The permitted development rights (under Class M of the 2015 Order (as amended)) do not apply on land within a Safety Hazard Area. Manchester City Council’s Interactive Proposals Map has been consulted and does not identify the site within a Safety Hazard Area.

(iv) in a military explosives storage area;

- 5.13 The permitted development rights (under Class M of the 2015 Order (as amended)) do not apply on land within a Military Explosive Storage Area. Manchester City Council’s Interactive

Proposals Map has been consulted and does not identify the site within a military explosives storage area.

(v) a listed building; or

(vi) a scheduled monument.

- 5.14 The permitted development rights do not apply if a building is listed or a scheduled ancient monument. Historic England's National Heritage List for England, which identifies heritage assets including listed buildings and scheduled ancient monuments (as blue triangles and areas of red shading respectively) has been consulted, and confirms that the subject property is not listed or a scheduled ancient monument (see figure 2).

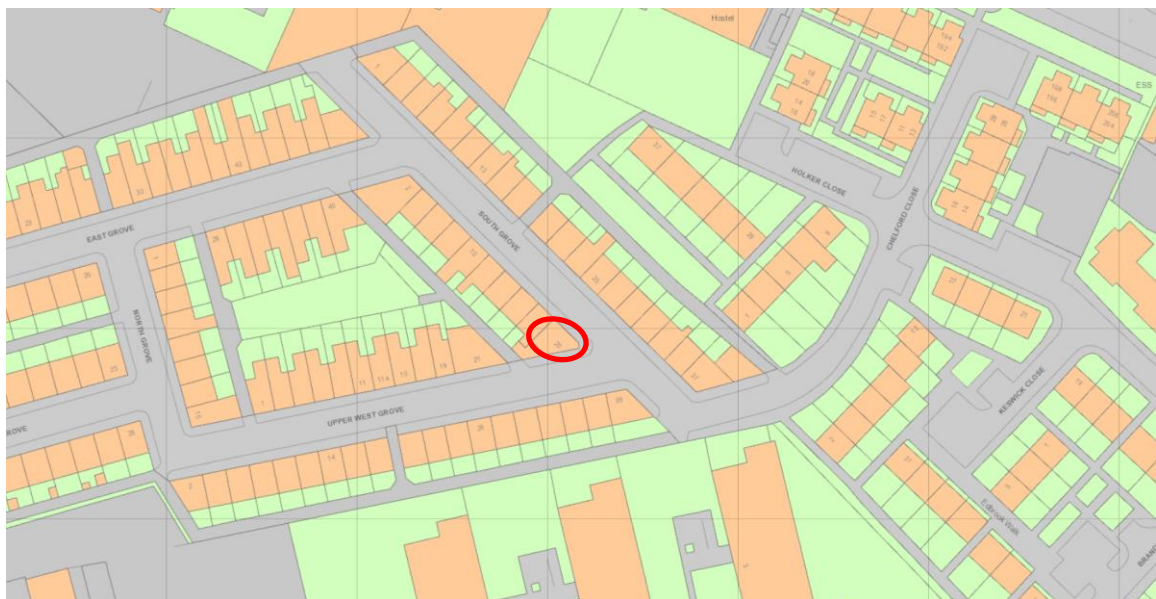


Figure 2: Map search of the National Heritage List for England with the subject property outlined red.

- 5.15 In light of the above it is clear that the permitted development rights for the change of use from shops (use class A1) to dwellinghouses (use class C3) apply to the application building.

Prior Approval Assessment Criteria

- 5.16 Legislation requires that local planning authorities consider Prior Approval applications with regards to certain specific impacts of a development, identified at Paragraph M.2 of the

2015 Order (as amended). In order to establish likely impacts of the proposed change of use, the proposal is considered with regard to the prior approval assessment criteria below:

Transport and Highways Impacts of the Development?

- 5.17 The site has an accessible and sustainable location being in close proximity to everyday services and facilities to the west of the site on Upper Brook Street, including a supermarket and take-aways. The site is also in close proximity to the Manchester Royal Infirmary.
- 5.18 The site benefits from excellent accessibility by bus, being in close proximity to bus stops located on Upper Brook Street and Plymouth Grove. Bus stops providing services to Media City, East Didsbury, Hazel Grove, Stockport, and Manchester City Centre are located within 300m from the site.
- 5.19 In addition to public transport facilities available, the proposals will involve the provision of secure cycle parking for four bikes internally within the building. This equates to 100% cycle parking provision.
- 5.20 Notwithstanding the above, should any future residents ultimately decide that they need access to a car, residents can apply for a residents parking permit. The car parking restrictions and permit requirement on the surrounding streets means that any potential car parking accumulation resulting from the development would be controlled. Any vehicle movements associated with the development would have a de minimis impact on the surrounding highways network and therefore there would be no unacceptable transport or highways impacts resulting from the conversion of the building to apartments.

Will conversion of the building be associated with any Contamination Risks?

- 5.21 No below ground works or excavations are required to convert the property to residential use. There are no uses in the immediate vicinity of the site which pose a risk to future residents of the development in terms of contamination. It is therefore considered that there will not be any contamination risk for future occupants or contractors. Prior approval with regards to contamination is not required.

Will conversion of the building be associated with any detrimental Flooding Risk?

- 5.22 In terms of flooding risk the Environment Agency's Flood risk map for planning has been consulted and identifies the site as located in Flood Risk Zone 1; where there is a less than 0.1% or 1 in 1000 chance of flooding (see figure 3 below). The proposal will not in any way increase flooding risk on the site or in the local vicinity as no new areas of hard standing or impermeable surfaces will be created. Prior approval with regards to flooding risk is not required.

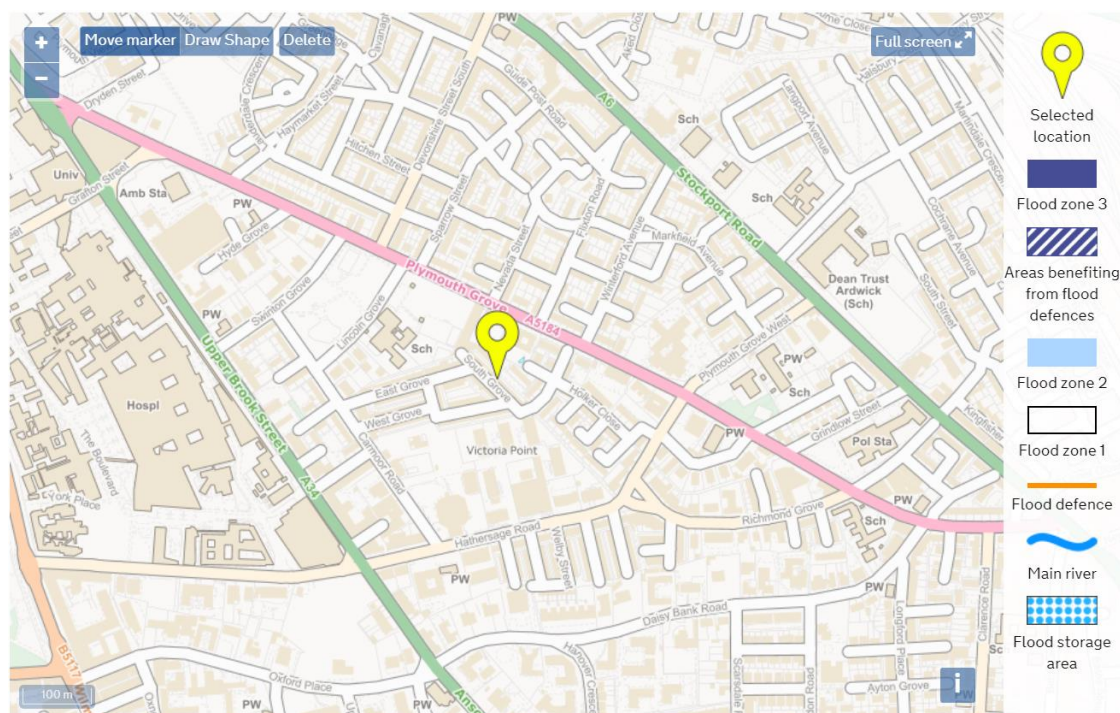


Figure 3: Environment Agency Flood Risk Map. The site is identified by the yellow pin and lies in Flood Zone 1.

Is the Change of Use of A1 Premises Desirable?

- 5.23 Part (d) of paragraph M.2 requires an assessment to be made as to whether it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order because of the impact of the change of use— (i) on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops) or, as the case may be, Class A2 (financial and professional services) of that Schedule, but only where there is a reasonable prospect of the building being used to

provide such services, or (ii) where the building is located in a key shopping area, on the sustainability of that shopping area.

- 5.24 With regard to point d(i), the building is in a dilapidated condition and would require significant investment to bring the building back into A1 use. In addition the long term period of vacancy indicates a clear lack of demand from A1 users to operate from the building. It is concluded that there is no reasonable prospect of the building being brought back into A1 use in the foreseeable future, and therefore consideration as to whether the proposal will have a detrimental impact on the provision of A1 services in the local area is not necessary. On this basis the proposal is consistent with the requirements of paragraph M.2 (d)(i) of Schedule 2, Part 3, Class M of the 2015 Order (as amended).
- 5.25 With regard to point d(ii), the site is not located within a key shopping area as identified on Manchester City Council's proposals map, therefore assessment of this point is not required. Nonetheless, the introduction of residential use to the property could benefit the sustainability of nearby shops/retailers by increasing footfall and potential customers. On this basis the proposal is consistent with the requirements of paragraph M.2 (d)(ii) of Schedule 2, Part 3, Class M of the 2015 Order (as amended).

What are the impacts to the design and appearance of 20 South Grove?

- 5.26 The application site has been vacant for some time, since approximately 2016. The vacancy of the building is evidenced through the roller shutters to the ground floor entrances and shopfront, as well as the boarded up windows at first floor. The building is generally in a dilapidated condition, with a number of openings having been bricked up which create a harsh expanse of brick to the streetscene (see figures 4 and 5 below).
- 5.27 The proposed alterations to the building would involve insertion of new window and door openings, exposing boarded up windows, removal of existing roller shutters and the removal of the existing signage above the shopfront.
- 5.28 The proposed alterations are all acceptable in terms of design, and will assimilate with the existing property and surrounding streetscene. Overall, the impact of the proposals on the

design and appearance of the site will be positive by removing the dilapidated shopfront and creating interaction with both South Grove and Upper West Grove. On this basis, the proposals will have positive impacts in terms of design, and prior approval in relation to paragraph M.2 (e) should be granted.



Figure 4: 20 South Grove (South Grove elevation).

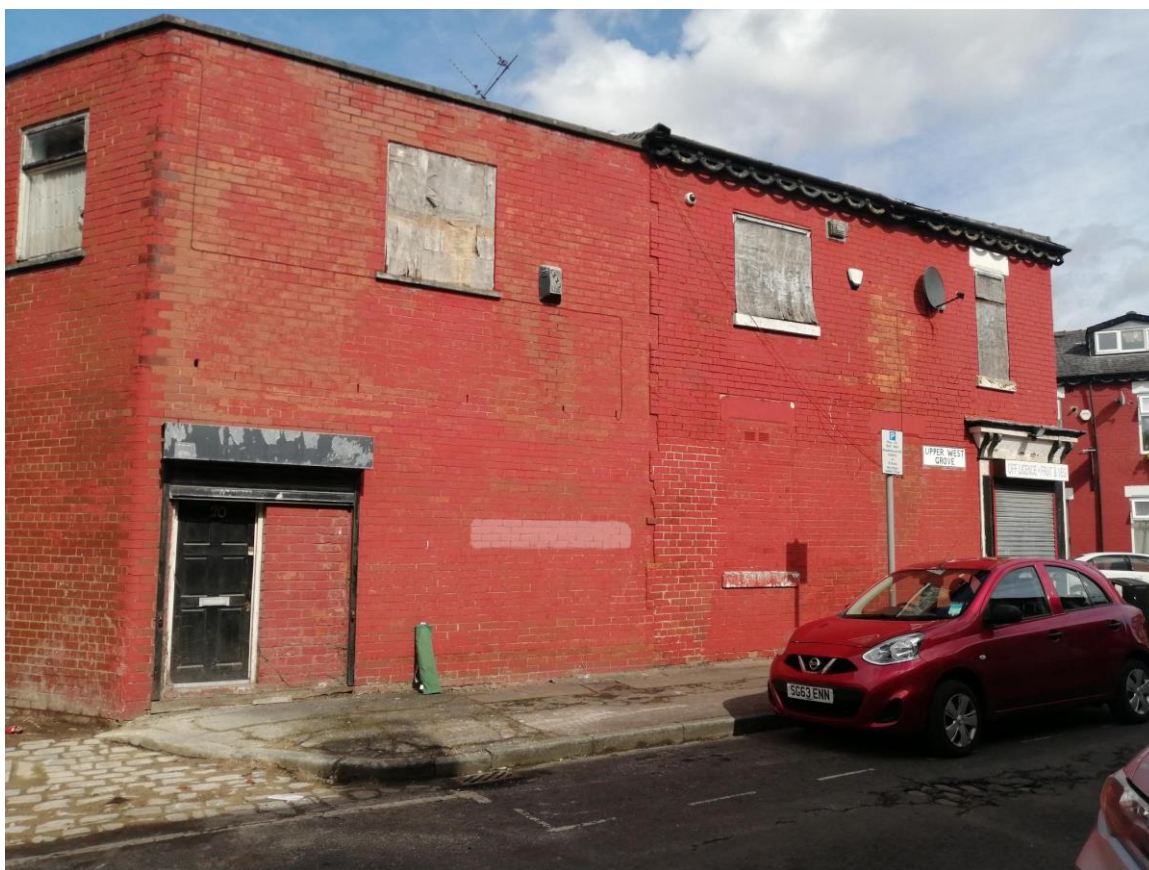


Figure 5: 20 South Grove (Upper West Grove elevation).

Is there provision of adequate natural light to all habitable room windows?

- 5.29 Part (f) of paragraph M.2 requires that all habitable room windows receive adequate natural light. “Habitable rooms” means any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms. The proposed drawings submitted in support of this application illustrate that all habitable rooms will be served by windows to ensure these rooms achieve adequate natural light. This is achieved through the insertion of new window openings to serve the ground floor apartments. On this basis the proposal is consistent with the requirements of paragraph M.2 (f) of Schedule 2, Part 3, Class M of the 2015 Order (as amended).

6. Conclusion

- 6.1 This Evidence Statement has been prepared to support a Prior Notification application for the proposed change of use of 20 South Grove from a vacant retail premises (use class A1) to use as 4no. apartments (class C3) under permitted development rights granted by Part M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 6.2 This statement has assessed the proposal against permitted development exemption criteria (provided by Paragraph M.1) and has appraised the proposed development in respect of prior approval assessment criteria detailed at Paragraph M.2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In doing so it is concluded that the subject building is suitable for conversion as permitted development with no potential impacts associated with the development in terms of transport and highways, contamination, flooding risks, or adequate provision of services falling within the A1 use class on the local area. It is also demonstrated that the external alterations will have a positive impact and that the proposed apartments will receive adequate provision of natural light to all habitable rooms.

Appendix 1: Valuation Office Agency Information

18/03/2021

Summary valuation

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20, South Grove, Manchester, M13 0AU

1 April 2010 - 31 March 2017

Your rateable value was £4,750.00

! Warning This is not the amount you will have paid.

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[Valuation information](#)

Description	Shop and premises
Local authority	Manchester
Local authority reference	2059178
Base rate	£100.00
Basis of measurement	NIA
Transitional relief certificate issued	No
Valuation scheme reference	72153
Special category code	249G
Effective date	1 April 2010
Appeals	0

[How the valuation was calculated](#)

Parts of the property				
Floor	Description	Area m ² /unit	Price per m ² /unit	Value
Ground	Retail zone b	6.7	£50.00	£335.00
Ground	Staff toilets	1.9	£0.00	£0.00
Ground	Internal storage	11	£10.00	£110.00
Ground	Retail zone a	43.3	£100.00	£4,330.00
Total		62.9		£4,775.00
Total value £4,775.00				

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Summary valuation

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20, South Grove, Manchester, M13 0AU

1 April 2017 - present

Your rateable value is £4,750.00

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Description	Shop and premises
Local authority	Manchester
Local authority reference	2059178
Base rate	£100.00
Basis of measurement	NIA
Transitional relief certificate issued	No
Valuation scheme reference	355403
Special category code	249G
Effective date	1 April 2017

[How the valuation was calculated](#)

Parts of the property				
Floor	Description	Area m ² /unit	Price per m ² /unit	Value
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Total value £4,775.00				

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