

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129280/FO/2021

Date registered valid: 2 February 2021

Proposal: Retrospective application for the creation of additional entrance to existing ground floor retail unit, internal alterations and roof alteration to the rear involving the installation of a roof dormer

Address: 44 Barlow Road, Manchester, M19 3DA

Ward(s): Levenshulme Ward

Applicant: Mr IMRAN YAKOOB 44 Barlow Road, Manchester, M19 3DA

Agent (if any): Mr Barry Cullen BARRY CULLEN, Flat 27 Brookside Court, 101 Slade Lane, Levenshulme, Manchester, M19 2AH

Case officer: Steven McCoombe
Tel: 0161 234 4607
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Recommendation: Approve

Date of recommendation: 24 February 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 23 February 2021

Standard consultations:

Printed: 3 February 2021 Expired: 24 February 2021

Neighbour notifications

Printed: 3 February 2021 Expired: 24 February 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

The application site relates to a two storey, mid terraced, Victorian property with basement and roof space areas, which incorporates an open forecourt to the front and small rear yard. To the rear is a two storey outrigger.

The property comprises a vacant storage area within the basement and a vacant retail unit at ground floor. The upper floors comprise a three bedroom flat. The ground floor shopfront is presently in a poor condition, although it is stated that the retail unit was in use within the last few years.

The property is adjoined by a launderette to one side and a dwellinghouse to the other. The latter of which is enclosed by boundary treatment to include a front garden area.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

With the exception of small-scale retail uses situated sporadically along Barlow Road, the immediate area is largely residential character, mainly comprising two storey, terraced dwellinghouses, including properties which faces onto the rear of the host building.

A short distance to the west is Levenshulme district centre, which spans north to south along Stockport Road

Description of development

Retrospective planning permission is sought for creation of additional entrance to the existing ground floor retail unit, internal alterations and roof alterations to the rear, involving the installation of a roof dormer

The application is retrospective and seeks to regularise unauthorised work carried out following the recent granting of planning permission referenced 126221/FO/2020, which allowed for the creation of an additional entrance to existing ground floor retail unit, internal alterations and roof alteration to the rear outrigger to create an additional floor.

The applicant did not correctly implement the works in accordance with the previous permission, Whilst internal works to the ground floor retail unit and associated elevational alterations have been implemented, the applicant has constructed a rear roof dormer to the existing outrigger.

The previous permission allowed for the raising of the eaves height of the rear outrigger and the creation of a flat roof, to allow the creation of full height accommodation to part of the second floor to facilitate an additional bedroom to the flat. This element has not be completed and instead a roof dormer has been added to the existing roof slope of the outriggers.

Consultations & Notification Responses

Local Residents/Occupiers – 1 representation has been received in which concerns are raised about the spillage of building material onto the neighbouring alleyway following the near completion of works.

Environmental Health – No comments to make.

Highway Services - The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Highways have no objections to the additional pedestrian entrance to the existing ground floor retail unit, internal alterations and roof alteration to the rear involving the installation of a roof dormer.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy DC1 of the UDP;
- Policies DM1 and SP1 of the Core Strategy;
- Guide to Development in Manchester (SPD);
- National Planning Policy Framework (NPPF).

Issues

Principle

It is considered that the proposed alterations to the property are minor in nature and allow reuse of a vacant property, to make best use of space and facilitate the refurbishment of the property, whilst allowing improvements to the shopfront.

In term of the vacant ground floor, there is insufficient evidence to make a case for abandonment of the retail use. The applicant states that the ground floor unit was operational until recently.

On this basis, the proposal is considered to comply with the aforementioned policy and guidance.

Residential and Visual Amenity

It is considered unlikely that the addition of one bedroom and a modest increase in retail floorspace by converting the existing, small ground floor kitchen will create any significant increase in activity or consequential noise and disturbance which would be harmful to the living conditions of neighbouring occupiers. A condition has been included however to ensure the upper floor, duplex flat does not become an HMO and will remain in C3a use. This will prevent an over intensive use of the floorspace.

In terms of the external alterations, the proposal will allow improvements to the appearance of the shopfront. The addition of single door within the context of a commercial shopfront is unlikely to be harmful to the appearance or architectural character of the frontage.

To the rear, the omission of the previous roof height increase to the outrigger, the creation of a flat roof and its replacement with a roof dormer is considered satisfactory and would result in a less bulky addition than previously approved.

The proposed dormer is relatively small and sits integrally with the roof slope, incorporating a flat roof and two small facing windows. The dormer utilises matching brickwork to the dormer cheeks and a grey cladding material to the main face which matches the colour of the associated roof slates. It is believed therefore that the dormer satisfactorily assimilates into the roof slop with no significant impact to visual amenity.

Due to the position of the dormer and the interface distance between the dormer and neighbouring properties to the rear, it is unlikely that any undue overlooking would result. The arrangement is also typical to that normally allowed under permitted development.

On this basis, the roof alteration is considered satisfactory.

Waste Management

The proposal seeks to maintain the existing waste management arrangement, whereby separate bin storage areas are provided within the rear yard area and taking to the kerbside on the day of collection. The ground floor occupier has direct access to the rear yard, whereas the residential occupiers are required to access the yard externally via the rear alleyway.

Given that the proposal involves only minor alterations to an existing arrangement, the waste management arrangement is considered acceptable in this instance. A condition has however been included as a safeguard to ensure bins are only stored within the curtilage of the property, other than on the day of collection.

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The materials to be used on the external surfaces of the works hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason - To ensure the appearance of the building is not adversely affected by the materials to be used pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

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

Site plan, location plan and floor plan and elevation drawings numbered 1192, received by the City Council as Local Planning Authority on 2 February 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 only be implemented in accordance with the bin stores shown on drawings numbered 1192 received by the City Council as Local Planning Authority on 2 February 2021. No bins shall be stored outside the curtilage of the property, other than the day of collection.

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

4) 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) the residential living accommodation on the upper floors shall not be used for any other purpose (including any other purpose in Class C3 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 the purpose(s) of C3(a).

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.

5) The second floor bathroom window incorporated within the rear roof dormer elevation, shown on drawings referenced 1192, received by the City Council as Local Planning Authority on 2 February 2021, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Informatives

1) Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design standards.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

2A Cleveland Avenue, Manchester, M19 3FA
69 Barlow Road, Manchester, M19 3DB
14 Emley Street, Manchester, M19 3BZ
12 Emley Street, Manchester, M19 3BZ
65 Barlow Road, Manchester, M19 3DB
50 Barlow Road, Manchester, M19 3DA
48 Barlow Road, Manchester, M19 3DA
42 Barlow Road, Manchester, M19 3DA
8 Emley Street, Manchester, M19 3BZ
Flat 2, 10 Emley Street, Manchester, M19 3BZ
Flat 1, 10 Emley Street, Manchester, M19 3BZ
67 Barlow Road, Manchester, M19 3DB
46 Barlow Road, Manchester, M19 3DA
16 Emley Street, Manchester, M19 3BZ

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: NORTH2