

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128704/FO/2020

Date registered valid: 27 November 2020

Proposal: Erection of two storey rear extension and installation of a rear dormer to form additional ground floor retail floorspace and enlarged flat on first floor and second floor and installation of a new shop front

Address: 349 Claremont Road, Manchester, M14 7NB

Ward(s): Moss Side Ward

Applicant: Mr A Hassan 349 Claremont Road, Manchester, M14 7NB

Agent (if any): Mr Stephen Nicholls Richmond Consultants 63 Ellwood Road, Stockport, SK1 4BE

Case officer: Dave Morris
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Recommendation: APPROVE

Date of recommendation: 19 January 2021

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: None undertaken due to Covid 19 pandemic

Standard consultations:

Printed: 2 December 2020 Expired: 23 December 2020

Neighbour notifications

Printed: 2 December 2020 Expired: 23 December 2020

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 relates to a two storey mid parade property comprising a commercial ground floor with residential above. There is a two storey outrigger at the rear and a small yard.

In December 2020 planning permission was granted for the erection of a single storey rear extension.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This is a small commercial parade within what is a predominantly residential area. The adjoining property to the west which shares the outrigger has a single storey rear extension that covers the whole yard. Further west 343 has been massively extended and is the subject of enforcement action to secure the removal of the extension. To the east the adjoining property has a flat roofed two storey extension on the rear of its outrigger. To the north separated by the rear alley is the rear yard of a dwelling on Croften Street and an area of incidental open space.

Description of development

Consent is sought to erect a two storey extension on the rear of the outrigger. The extension would be the same width as the outrigger and project 2.5 metres. The extension would have a mono pitch roof that follows the pitch of the existing outrigger roof. There would be a single large window at first floor level and a small window at ground floor level.

In addition it is proposed to insert a dormer on the rear roof slope. The dormer would be set in from the eaves and is well below the ridge of the steep roof of the main building. The dormer would have a flat roof and a single window in the rear elevation.

The extensions would increase the space for the ground floor commercial unit and enlarge the existing flat above to 81 square metres. The scheme has been reduced in scale from a three storey rear extension that included the creation of an additional flat.

Two distinct refuse storage areas are to be provided in the rear yard, one for each of the uses.

The submitted drawings also show a new shop front containing a pair of central doors with full height display windows either side. At one side there is a separate door serving the flat.

Consultations & Notification Responses

Local Residents/Businesses

No representations received.

Environmental Health

The refuse storage scheme is acceptable. Conditions required about the implementation of the refuse scheme, acoustic insulation of the flat and any external plant.

Highways

Require a construction management plan

Policy

Core Strategy

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

Issues

Principle.

The principle of improving the accommodation available to both the flat and the commercial unit is considered acceptable.

Scale

The projection of the rear extension at 2.5 metres is modest in its scope and there remains a usable yard area. The extension also follows the profile of the existing outrigger which is also considered acceptable.

The proposed dormer sits within the roof and because of the roof's steep pitch appears quite small. On balance it is considered that the scale of the proposed extensions is acceptable.

Design

There are no issues with the design of either the extensions or the shop front.

Residential amenity

The new shop front provides a separate access to the flat from the main road frontage which is considered acceptable.

Given the existing extensions to the adjoining properties the proposed extension is unlikely to have a significant overbearing impact.

All new windows face the rear and overlook the incidental open space and the rear yard of the properties on Croften Street. The rear yard would be approximately 4.6 metres from the rear face of the extension and as the view is not direct it is considered that any overlooking would not be significant.

On balance it is considered that the proposed development will not have a significant impact on residential amenity.

Refuse storage

The revised refuse storage arrangements are acceptable with separate areas for the two uses. An appropriate condition is proposed.

Standard of accommodation.

The enlarged flat meets the Council's space standards for a two bed three person duplex. The provision of access from the main street is also a positive benefit as it provides a more secure entrance.

Conclusion

On balance the proposed development is considered 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:

18-20 CR20 revision A received 23 December 2020

Proposed refuse collection route received 23 December 2020

Waste Management Proforma received 23 December 2020

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 materials that match those used in the original 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.

4) The details of the arrangements for the storage of refuse detailed in the approved documents 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.

5) Prior to the commencement of the development, a detailed construction management plan outlining working practices during construction shall be submitted for approval in writing by the City Council, as local planning authority, which for the avoidance of doubt should include:

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust Management Plan;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Parking of construction vehicles and staff.

The development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and businesses, highway safety and air quality, pursuant to policies SP1, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

6) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to Core Strategy policy DM1 and saved Unitary Development Plan policy DC26.

7) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the premises is occupied.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to Core Strategy policy DM1 and saved Unitary Development Plan policy DC26.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

353 Claremont Road, Manchester, M14 7NB
Flat 2, 345A Claremont Road, Manchester, M14 7NB
Flat 3, 345A Claremont Road, Manchester, M14 7NB
113 Crofton Street, Manchester, M14 7ND
LAHORE CURRY HUT, 345 Claremont Road, Manchester, M14 7NB
44 Santiago Street, Manchester, M14 4BL
Flat Above, 349 Claremont Road, Manchester, M14 7NB
Flat 1, 345A Claremont Road, Manchester, M14 7NB
Top Flat, 351 Claremont Road, Manchester, M14 7NB
347 Claremont Road, Manchester, M14 7NB
Flat Above, 44 Santiago Street, Manchester, M14 4BL
42 Santiago Street, Manchester, M14 4BL
40 Santiago Street, Manchester, M14 4BL
111 Crofton Street, Manchester, M14 7ND
109 Crofton Street, Manchester, M14 7ND
351 Claremont Road, Manchester, M14 7NB

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
Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Moss Side)
Area Team Boundary - Name: SOUTH