

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128544/JO/2020

Date registered valid: 23 November 2020

Proposal: Variation of Condition 2 (specified plans) to planning permission 124397/FO/2019 to allow amendments to window details and allow installation of air source heat pumps

Address: 390 Princess Road, Manchester, M14 7ES

Ward(s): Whalley Range Ward

Applicant: Mr Enrique Romero, One Manchester, 390 Princess Road, Manchester, M14 7ES

Agent (if any):

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 18.01.2021

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other

Date of site visit: Site visited for planning approval reference 124397/FO/2019

Standard consultations:

Printed: 25 November 2020

Expired: 16 December 2020

Neighbour notifications

Printed: 25 November 2020

Expired: 16 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site

The application property is a substantial detached two storey red brick and render corner property sitting at the north western corner of the junction between Princess Road and Wilbraham Road. The property was previously used as a C3 dwelling house used by MCC Social Services as supported independent living accommodation up until 2016 and has been vacant since then. The building has private garden space to the front, sides and rear with a low brick wall and wooden fence atop with a vehicular access to a drive and garage from Princess Road to the northern section of the application site.



290 Princess Road

Residential properties lie to the immediate west and north of the corner property with education establishments located to the south on Wilbraham Road (Whalley Range High School for Girls) and to the north west William Hulme Grammar School.

Description of Proposals

Planning approval was granted in September 2019 under planning permission 124397/FO/2019 for the Change of use from dwelling house (Class C3) to residential support facility for up to eleven people (sui generis) with associated office and elevational alterations.

The current proposals seek an amendment to the planning approval to allow for the installation of air source heat pumps to improve the sustainability and energy usage of the property. The addition of the equipment requires some amendments to the elevations.

Consultations & Notification Responses

Neighbouring residents were notified of the proposals, no responses were received.

Environmental Health – No comments to make on this application.

Issues

National Planning Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can

produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

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. The statutory status of the development plan remains as the starting point for decision making. However, the NPPF states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should 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 or specific policies in this Framework indicate development should be restricted.

National guidance can be found in the National Planning Policy Framework (NPPF). The central theme to the NPPF is to achieve sustainable development. The Government states that there are three overarching objectives to achieving sustainable development: an economic objective, a social objective and an environmental objective (paragraph 8).

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.'

Policy SP 1 Spatial Principles - States the key spatial principles which will guide the strategic development of Manchester to 2027. The key areas of policy SP1, pertinent to this application, are:

- i. The creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas.
- ii. Ensuring that the proposed development has regard to the character, issues and strategy for each regeneration area as described in the North Strategic Regeneration Frameworks.

Core Development Principles - The following principles as set out in policy SP1 and relevant to the proposal are:

- i. The development should make a positive contribution to neighbourhoods of choice including:
 - a. creating well designed places that enhance or create character.
 - b. making a positive contribution to the health, safety and wellbeing of residents
 - c. considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - d. protect and enhance the built and natural environment.
- ii. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Policy EN19 Waste - Relates to waste management and requires that consideration is given to consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

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

Policy H10 Housing for people with additional support needs – This policy states that proposals for accommodation for people with additional support needs will be supported where:

- There is not a high concentration of similar uses in the area already.
- Where it will contribute to the vitality and viability of the neighbourhood.
- Where there would not be a disproportionate stress on local infrastructure such as health facilities.

The Council welcomes the development of appropriately designed accommodation which enables people with additional support needs to maintain an independent lifestyle. However, it will seek to avoid an over-concentration of people with additional support needs in any one area.

It has been confirmed that the Council's Support Needs Monitoring Group supports the proposals.

Policy H 11 Houses in Multiple Occupation - In addition to Manchester's Article 4 Direction that prevents change of use from Class C3 (Dwelling houses) to C4 (small-scale HMOs) reference is also made to policy H11, which states that: changes of use from a C3 to a C4 will not be permitted where there is a high concentration of residential properties within a short distance of the application site falling within one or more of the following categories:

- i. Exempt from paying Council tax because they are entirely occupied by full time students;
- ii. Recorded on Private Sector Housing's database as a licensed HMO;
- iii. Any other property which can be demonstrated to fall within the C4 or sui generis HMO use class;
- iv. In cases where the concentration of such properties is significant but less high, the Council will examine property type and resident mix in more detail when considering an application for a change of use;
- v. In areas of high concentration, extensions to HMOs (as defined in the Housing Act 2004) would not be permitted where this could reasonably be expected to lead to an increase in the level of occupation.

In this case, the application site is located in an area with predominantly residential accommodation, which appears to be occupied by families. The previous use of the property whilst indicated as being C3 residential provided specialist care to facilitate independent living accommodation. The application proposals would result in a larger scale HMO

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.

Policy DM 1 Development Management - Discusses a range of issues that all development should have regard to. The following specific issues are relevant to the consideration of this application:

- i. The impact of the development on the character of the surrounding area;

- ii. Effects on amenity, including privacy, noise and traffic generation;
- iii. Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes;
- iv. Community safety and crime prevention;
- v. Design for health;
- vi. Adequacy of internal accommodation and external amenity space;
- vii. Refuse storage and collection;
- vii. Vehicular access and car parking.

DC26 - Development and Noise

Policy DC26.1 - The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. The effect of new development proposals which are likely to be generators of noise and
- b. The implications of new development being exposed to existing noise sources which are effectively outside planning control.

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 the sort of development we all want to see in Manchester.

Issues

Principle - The principle of the conversion of the property has been deemed to be acceptable through the granting of the original permission.

The amendments now sort introduce external equipment to improve the energy performance of the property and the consequential amendments as a result which include the positioning of a side facing window to the kitchen area. Consideration of these changes on residential amenity is required.

Residential amenity – The external equipment is to be installed externally directly adjacent to the property and kitchen area. The equipment is sited on the west facing elevation approximately 11 metres from the boundary with number 214 Wilbraham Road. The proposal is accompanied by technical specifications of the equipment and environmental health have made no comments on the proposal. Given the distance from the boundaries to nearby residential properties it is not considered that the proposals would give rise to unacceptable impacts in terms of noise.

The equipment is to be housed in cabinets and would assimilate into the general site of the property and would not form an unusual type structure.

As a result of the proposed siting of the equipment it is proposed to install a further window to the kitchen area of the property which would face north towards the neighbouring property on Princess Road. The distance to the boundary would be approximately 7.5m and there would be a bin store in the intervening space of the garden. As such given this distance separation the inclusion of this window is not considered to give rise to unacceptable impacts on the privacy to the neighbouring property on Princess Road to the north.

Visual amenity – The installation of the equipment to the rear of the property is not considered to give rise to adverse impact on the visual amenity of the area.

Car parking – The applicant has included details of the surfacing of the car parking area that was previously subject of a condition on the original approval. The details are that the driveway would be permeable driveway including gulley/ new Aco drains to ensure drainage away from house entrance and front wall. These details are considered acceptable for the proposals in this instance and the drawing and specification provided are to be included within the specified plans condition.

Waste – The applicant has previously applied to discharge this condition and this is to be reflected in the waste condition attached to this decision.

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

The application has been determined in a positive and proactive manner the decision has been issued within statutory timescales.

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 planning permission reference 124397/FO/2019, that date being 25th September 2019 .

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:

Drawings 03; 04;05;06

Submitted application forms

'390 Princess Road Planning Application – supporting statement'

All date stamped as received by the City Council on the 31st July 2019.

MAGNA1 - Circulator pumps 50/60 Hz
Schedule of equipment Reference No: LBD3258 Revision: A
All received by the City Council on the 9th November 2020

Heating Only Heat Pumps For Small to Medium Applications
Ecordan PUHZ Cascade Systems
MEUK/FTC5/14/2/2Z/2C Rev 5

Garage elevations drawing 09b ; drawing 07 1a ; All received by the City Council on the 23rd November 2020

Proposed groundworks drawing and accompanying email from agent on 14th January 2021 indicating the drainage and surfacing of the proposed car parking area.

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) No part of the development shall be occupied until space and facilities for bicycle parking as indicated on the approved plans have been installed. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

4) The scheme for the storage (including segregated waste recycling) and disposal of refuse as approved under condition discharge approval reference CDN/20/0503 as approved on the 27th August 2020 shall be implemented in full as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to Policy DM1 of the Core Strategy.

5) The development hereby approved shall be operated in accordance with the submitted supporting statement as received by the City Council as local planning authority on the 31st July 2019.

Reason- In the interests of residential amenity pursuant to policy DM1 and H10 of the Core Strategy.

6) The car parking shall be surfaced and drained in accordance with the agreed as set out in condition 2 of this approval prior to the first use of the development hereby approved.

Reason - To ensure that there is adequate drainage for the car parking area and to reduce the risk of surface water run-off from the site pursuant to policy EN14 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

409 Princess Road, Manchester, M14 7ER
388 Princess Road, Manchester, M14 7ES
214 Wilbraham Road, Manchester, M16 8GN
405 Princess Road, Manchester, M14 7ER
198 Wilbraham Road, Manchester, M14 7EN
279 Wilbraham Road, Manchester, M14 7EW
386 Princess Road, Manchester, M14 7ES
407 Princess Road, Manchester, M14 7ER
216 Wilbraham Road, Manchester, M16 8GN
413 Princess Road, Manchester, M14 7FG
411 Princess Road, Manchester, M14 7ER

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH