

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127568/FO/2020

Date registered valid: 27 July 2020

Proposal: Erection of first floor rear roof extension including dormer to provide additional living accommodation

Address: 222 Wilmslow Road, Manchester, M14 6LF

Ward(s): Fallowfield Ward

Applicant: Mr. Zahid Hanif, 222 Wilmslow Road, Manchester, M14 6LF

Agent (if any): Mr. Niamat Ali, NA Design & Construction Ltd, 47 Egerton Road South, Chorlton Cum Hardy, Manchester, M21 0YW

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Withdrawn

Date of recommendation: 12 October 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: Photos received with application

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 30 July 2020 Expired: 20 August 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

The application relates to a two storey red-brick end-terrace with a shop at ground floor and residential accommodation (4 bed HMO) spread across the first and 2nd floors.

Description of area

The property is located on the corner of Wilmslow Road and Cawdor Road within the 'Fallowfield Brow', which is an area of terraces containing a high number of HMOs catering to the city's student population.

Description of development

The applicant wishes to build a dormer and 2nd floor extension to create a 5th bedroom for an existing HMO.

Consultations & Notification Responses

Local residents, as per appendix 1 – One letter of objection received:

We wish to strongly object to this application above the former Gaffs convenience store on Fallowfield Brow. This property is a flashpoint location in Fallowfield and has been cited in many news stories over the years highlighting a variety of issues. There is already very little amenity space with these terraced houses. We are concerned about the size of the proposed extension which removes all outdoor amenity space. It is our experience over many years that an extension of this kind will lead to further intensification of use which is contrary to policy H11.

This property is currently being advertised 'to let' as a student friendly 4 bed house on Zoopla. However, the photos show four double beds and one single bed. It is clear from the proposed plans that a fifth bedroom is to be created. It is also noted that some of the bedrooms are very small especially bedrooms 2 and 3. There is no designated kitchen area on the plans. If more space is created we are concerned what the actual occupancy would be.

Fallowfield Brow is very intensely occupied by University students and there are very well documented problems of noise and anti-social behaviour. Residents who live on Fallowfield Brow are constantly troubled by late night noise from pre drinks parties, all night parties and passing groups going out (11pm - midnight) and making their way home (typically 1am-5am). There are terrible refuse disposal issues on Fallowfield Brow because of the intense numbers of Non-permanent residents which have recently made national news (July 2018). Anti-social behaviour in this area requires a lot of council resources as reported in MEN. Increased occupancy of students will increase these problems.

We would urge you to refuse this application to protect local residents. It is imperative to encourage the return of houses in this area to family homes to help create a much more balanced and sustainable neighbourhood of choice, planning policy SP1. It is also contrary to MCC's policy H11 as it is likely to lead to intensification of use.

Confirmation of withdrawal

The agent confirmed the previous and proposed use as a HMO (going from 4 to 5 bedrooms) but also confirmed its use as an Airbnb whilst the students were home for summer. At this point the agent was advised that as the property was used as an Airbnb over summer (class C3) it would require a change of use application to return to it's reported former use as a student HMO (C4) and that this use is unlikely to be granted within Fallowfield, given the surplus of HMOs and lack of family accommodation. At this point the agent withdrew the application, see below.

Email received from agent on the 9th October 2020:

Hi Connie,

Thanks for the email and your help. Applicant wants to withdraw the application. Don't not want to go ahead with application. Thanks.

Regards,

Niamat Ali

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: Withdrawn

Appendix 1 – List of consultees & neighbours notified

4 Cawdor Road, Manchester, M14 6LQ
Top Flat, 220 Wilmslow Road, Manchester, M14 6LF
Ground Floor And Basement, 224 Wilmslow Road, Manchester, M14 6LE
220 Wilmslow Road, Manchester, M14 6LF
3 Cawdor Road, Manchester, M14 6LG
224 Wilmslow Road, Manchester, M14 6LE
Flat 1, 224 Wilmslow Road, Manchester, M14 6LE
Flat 3, 224 Wilmslow Road, Manchester, M14 6LE
Flat 2, 224 Wilmslow Road, Manchester, M14 6LE
Flat 4, 224 Wilmslow Road, Manchester, M14 6LE
2 Cawdor Road, Manchester, M14 6LQ
1 Cawdor Road, Manchester, M14 6LG

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 (Fallowfield Central)
Area Team Boundary - Name: SOUTH