MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	127096/P3MPA/2020
Date registered valid:	1 August 2020
Proposal:	Prior Approval for change of use of building from financial and professional (Class A2) to dwellinghouse (Class C3) involving associated elevational alterations
Address:	1063 Stockport Road, Manchester, M19 2TF
Ward(s):	Levenshulme Ward
Applicant:	Mr George Collins 326 Barlow Road, Manchester, M19 3JB
Agent (if any):	
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: j.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	24 September 2020

Application details

Type of application: Prior approval- Mixed A1A2A3-Dwelling

Development type: Notifications

Date of site visit: July 20 photos submitted with application

Standard consultations:
Printed: 7 August 2020 Expired: 28 August 2020

Neighbour notifications
Printed: 7 August 2020 Expired: 28 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
The property that is the subject of this application forms part of a development that was a former public house. It has been subdivided into individual units.
The unit in question has previously been used as an office within the use Class A2. It is 2 storey red brick with a dual pitched roof. It has some attractive features in the form of dentil detailing and contrast brick banding to the front of the building. An arched window detail has previously been covered up, this will be reinstated as a fan light brickwork design, and the windows and door will be to the character and design of the original building and neighbouring properties.

The property will through the redevelopment become a 1 bedroom dwellinghouse. It will have a kitchen and lounge to the ground floor with a bathroom and bedroom to the first floor. To the rear is a small yard area. To the front of the property will be a small walled garden with pedestrian access taken off Stockport Road. Within this garden will be the bin store, to enable the storage of the requisite number of bins that will be brought kerbside on collection day.

The property is located within the Levenshulme ward of Manchester

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
The remainder of the area is an eclectic mix of residential public houses, commercial and retail units set along either side of a main arterial route into and out of the City of Manchester.

Description of development
This application seeks Prior Approval for a change of use of the property from Use Class A2 (Financial Services) to Use Class C3 (dwellinghouses), in accordance with Schedule 2 Part 3

Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2016. One single family dwellinghouse would be created. The changes also incorporate elevational changes to the property to facilitate the transition.

Development is permitted by this class, provided that certain criteria are met. In this case the proposal meets these criteria.

Where the development proposed is development under Class M, development is permitted subject to the condition that before beginning the development, the developer must apply 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) 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, and
(e) the design or external appearance of the building,

Consultations & Notification Responses

Local residents- one letter was received on the first round of consultations, which queried the internal layout with regards to the fly over of the first floor. They also commented on the lack of a design and access statement. A D and A statement would not be a prerequisite for one house, particularly on a conversion. The property is neither listed, nor in a conservation area. The flyover is in existence as the ground floor leads to access for the adjacent unit.
No representations were received as a result of the second round of consultations.
The comment also raised the issue of matching materials, this will be ensured by the attachment of a materials condition to any consent granted.

Highways-TRIP GENERATION AND JUNCTION CAPACITY:
In comparison to the former use, the level of trips generated is not anticipated to increase and as such no highways concerns are expected.
PARKING AND ACCESS:
There are no on-site parking spaces provided. Whilst this is not ideally preferred from a Highways perspective, it is acknowledged that the site offers no opportunity to provide on- site parking and in comparison to the former consented use, parking demands are likely to be reduced. It is also acknowledged that the site is highly accessible by sustainable modes, with regular bus services running along Stockport Road, Levenshulme train station a 15 minute walk away and the Fallowfield loop cycle and walking route is located 5 minutes' walk away. As such, sustainable travel to and from the site is a viable choice of mode for future residents.
It is noted that a secure form of cycle parking will be provided on site which is considered an acceptable arrangement.
The applicant has stated that parking associated with ad-hoc resident deliveries will be accommodated within the existing on-street bays, which is acceptable in principle.
REFUSE AND SERVICING:
An existing servicing and refuse storage area is noted within the site to the front of the property. It is assumed that the refuse servicing will continue as present, which is acceptable to Highways.

BOUNDARY TREATMENTS:
The boundary treatments proposed are acceptable to Highways. For the avoidance of doubt, all external gates should be inwardly opening in order to prevent obstruction on the adjacent footway.
CONSTRUCTION MANAGEMENT:
The applicant is advised that access arrangements and any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will require discussion and agreement with MCC Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Environmental Health- no objections on the proposed change.

Flood Risk Management- Site is within Flood Zone 1 and medium risk of surface water flooding and whilst the change of use results in a change in Flood Risk Vulnerability Classification, it does not require any mitigation measures and we APPROVE with no condition required.

Greater Manchester Police - Any new fittings should be to secured by design standards.

Issues

National Planning Policy Framework - Sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:

An economic role - contributing to build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;

A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and

An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

Pursuing sustainable developments involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure, and
- widening the choice of high quality homes.

There should be a presumption in favour of sustainable development and plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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 SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN18 (Contaminated Land and Ground Stability) - States that any proposal for development of contaminated land must be accompanied by a health risk assessment. This application has been accompanied by land contamination surveys, which respond to this policy and have been assessed and referred to in the following analysis.

EN19 (Waste) - States that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

Policy T2 - States that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-
- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan (UDP) - The site is unallocated in the plan

Saved policy DC26.1 has been related to the proposals contribution to the local noise environment, in relation to the operation of the proposed development and the additional activity it may generate.

Saved policy DC26.4 requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily. This particularly relevant given the proximity of the site to established residential uses.

Principle - The proposed development has been assessed with regard to:

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) -
Schedule 2, Part 3, Class M Change of Use from Shops (Class A1), Financial and Professional Services (Class A2) to Dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion.

The criteria for assessing the proposed development are set out below:

M.1 Development is not permitted by Class M if—
(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;
(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;
(c) the cumulative floor space of the existing building changing use under Class M exceeds 150 square metres;
(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;
(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;
(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
(g) the building is—
(i) on article 2(3) land;
(ii) in a site of special scientific interest;
(iii) in a safety hazard area;

(iv) in a military explosives storage area;
(v) a listed building; or
(vi) a scheduled monument.

It is considered that the proposal meets this criteria.

To be considered as permitted development, the following conditions must be met

M.2
Development is permitted subject to the condition that before beginning the development, the developer must apply 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, 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, and
(e) the design or external appearance of the building,
and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

The application has therefore been considered with regard to points (a) to (e) (inclusively).

Transport and highways impacts of the development - Whilst no dedicated parking is provided the situation is unchanged from the existing arrangement and the site lies in a row of properties which do not have dedicated parking spaces, but which benefit from some unmarked forecourt parking to the front of the property. Highways have been consulted and have no concerns and it is not therefore considered that the proposal would unduly impact upon the local highways network.

Contamination risks on the site - There are no known local contamination risks. Neither are there any immediately neighbouring uses that generate pollution or undertake industrial processes. Environmental Health have been consulted, and have no objections or comments to make on the proposal.

Flooding risks on the site - The application site lies within flood zone 1 however Flood risk management have been consulted and have no concerns stating that the proposal can be approved without any mitigation measures or requirement for conditions and consider that the property is not unduly affected by the risk of flooding.

Impact on financial facilities - The premises previously constituted an A2 use financial institution, it has stood vacant for quite a while, with there being no apparent demand for a use of this type. The site lies very close to Levenshulme District Centre and there are a significant amount of shops, commercial uses and pubs and restaurants there. It is therefore considered that there is an adequate provision of existing A2 premises together with properties that can be changed to A2 under Permitted Development.

External alterations - The proposed alterations are considered to be necessary, to enable the change of use, and would give the premises an appearance which is more compatible with surrounding residential premises. The materials to be used would match those of the existing property, and with the elevational changes it relates much more to the residential terrace that this property sits on the end of rather than the commercial properties to the other side. Attractive features such as the fan light detail and reintroduced window types are sympathetic to the remaining terrace. The property is currently open plan, however a small decorative wall and railing boundary is to be introduced to the frontage to differentiate between private and public defensible space and again to assimilate into the residential terrace.

Paragraph W, of part 3 states that the local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval. In the interests of residential amenity it is considered appropriate for the development to be conditioned to require the applicant to match in the proposed and existing materials in order that the property does not detract from the terrace and the area within which it is located.

Conclusion - The propose development is hereby approved on the basis of the above and in that it meets the criteria of the The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class M

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 polices 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

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

0) The City Council is satisfied that this development has minimal impact on the local highway network and transport, that there are no known contamination or flood risks at the site, that the proposal would not lead to an inadequate level of financial or office facilities in the area and that the proposed external alterations are acceptable, subject to conditions attached. The proposal therefore complies with the requirements of policies SP1, EN18, EN19, T2 and DM1 of the Manchester Core Strategy and the requirements of Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Approval is hereby granted in accordance with the location plan and floorplan received by the City Council

as Local Planning Authority on 1st August 2020 and Revised proposed elevation drawing received by the City Council as Local Planning Authority on 1st August 2020.

1) Before first occupation of the application building for residential purposes (Class C3), a scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use is in operation.

Reason - In the interests of residential amenity pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

2) The residential units hereby approved shall not be occupied until the cycle storage facilities have been implemented in accordance with the approved details. 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.

3) Prior to the first occupation of the flat hereby approved, the existing roller shutters shall be removed in their entirety.

Reason - In the interests of visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy

4) The materials to be used on the external surfaces of the building hereby permitted shall match those of the existing building in type, size, colour and texture this shall include the patch in brickwork and mortar.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management
Highway Services
Greater Manchester Police
Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

1061 Stockport Road, Manchester, M19 2TF
1106 Stockport Road, Manchester, M19 2SU
Top Flat, 1096 Stockport Road, Manchester, M19 2SU
Flat 2, 1104 Stockport Road, Manchester, M19 2SU
Flat 1, 1104 Stockport Road, Manchester, M19 2SU
1100A Stockport Road, Manchester, M19 2SU
3 Broom Lane, Manchester, M19 2TN
1 Broom Lane, Manchester, M19 2TN
1096 - 1102 Stockport Road, Manchester, M19 2SU
1065 Stockport Road, Manchester, M19 2TF
1059 Stockport Road, Manchester, M19 2TF
1108 Stockport Road, Manchester, M19 2SU

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2