MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126221/FO/2020
Date registered valid:	24 February 2020
Proposal:	Creation of additional entrance to existing ground floor retail unit, internal alterations and roof alteration to the rear outrigger to create additional floor
Address:	44 Barlow Road, Manchester, M19 3DA
Ward(s):	Levenshulme Ward
Applicant:	Mr Imran Yakoob, 42 Barlow Road, Manchester, M19 3DA
Agent (if any):	Mr Barry Cullen Barry Cullen Flat 27 Brookside Court, 101 Slade Lane, Manchester, M19 2AH
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: s.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	21 April 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: Site Photos Only

Standard consultations:
Printed: 3 March 2020 Expired: 24 March 2020

Neighbour notifications
Printed: 14 April 2020 Expired: 21 April 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 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

Planning permission is sought to create a new entrance door within the shopfront to allow access to the flat on the upper floors. In addition, it is proposed to remodel the property internally to allow increased retail floorspace by converting the existing kitchen to the rear of the ground floor, as well as roof alterations to the existing outrigger by raising the eaves height and creating a flat roof, to allow the creation of full height accommodation to part of the second floor. This will facilitate an additional bedroom to the flat (4 in total) which extends between both the first and second floors. The basement area will continue for use as storage via internal access from the ground floor.

The application as originally submitted included a basement light-well to building frontage to allow independent access to the basement.

Due to the Council's concerns surrounding a lack of natural surveillance due to the creation of sunken area to the front and that the separate access to the basement would facilitate a self-contained unit, leading to an over intensification in use of the property, the basement light-well was omitted from the proposal. There were further concerns that the basement light-well would be out of keeping with the open and unenclosed nature of the forecourt along this section of Barlow Road.

Revised plans were submitted and neighbours re-notified accordingly.

Consultations & Notification Responses

Local Residents/Occupiers – 1 neighbour representation has been received.

It is requested that high quality materials be used and that the front yard are is integrated and refurbished so that it is better maintained than the current tarmac finish.

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.

The additional pedestrian entrance to the existing ground floor retail unit and installation of front basement light-well to create new pedestrian entrance to the dwelling are all within the private forecourt and are acceptable from a highway perspective.

A refuse storage area is noted to the rear of the property within the rear yard. It is assumed that the existing servicing arrangement in place will continue.

GMP (Design for Security) – Various security measures are recommended, including the specification of external fittings, alarms, entry systems and the management of cash on the premises.

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 will allow reuse of a vacant property, 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 floospace 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 a 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 and with reference to saved policy DC1 of the UDP, the creation of a flat roof to a two storey extension is not normally desirable. It is noted however that the proposed arrangement would mirror other properties within the terrace and would not therefore appear out keeping in this context. On this basis, the roof alteration is considered satisfactory in this instance.

In terms of the window position, the rear outrigger arrangement would again reflect the existing arrangement of other properties within the terrace and due to the interface distance between the rear elevation of the host building and the nearest residential properties which face to the rear along Emley Street, it is not believed that that there would be any undue effects arising from any overlooking.

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 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:

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 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 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.

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

Drawings numbered 1192/Rev1 received by the City Council as Local Planning Authority on 10 April 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.

4) The development hereby approved shall only be implemented in accordance with the bin stores shown on drawing numbered 1192/Rev1 received by the City Council as Local Planning

Authority on 10 April 2020. No bins shall be stored outside the curtilage of the property, other than the day of collection.

5) 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 2010, 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.

Informative

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
Greater Manchester Police

61 Barlow Road, Manchester, M19 3DB
Flat 2, 10 Emley Street, Manchester, M19 3BZ
Flat 1, 10 Emley Street, Manchester, M19 3BZ
Flat 3, 40 Barlow Road, Manchester, M19 3DA
Flat 2, 40 Barlow Road, Manchester, M19 3DA
Flat 1, 40 Barlow Road, Manchester, M19 3DA
67 Barlow Road, Manchester, M19 3DB
46 Barlow Road, Manchester, M19 3DA
38 Barlow Road, Manchester, M19 3DA
20 Emley Street, Manchester, M19 3BZ
16 Emley Street, Manchester, M19 3BZ
2A Cleveland Avenue, Manchester, M19 3FA
63 Barlow Road, Manchester, M19 3DB
69 Barlow Road, Manchester, M19 3DB
18 Emley Street, Manchester, M19 3BZ
14 Emley Street, Manchester, M19 3BZ
12 Emley Street, Manchester, M19 3BZ
71 Barlow Road, Manchester, M19 3DB
65 Barlow Road, Manchester, M19 3DB
48 Barlow Road, Manchester, M19 3DA
42 Barlow Road, Manchester, M19 3DA
61A Barlow Road, Manchester, M19 3DB

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