

PLANNING STATEMENT

7 Rainforth Street, Manchester, M13 0RP

KAAM Limited

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1. Introduction

- 1.1. Broadgrove Planning and Development Limited have been instructed by KAAM Limited (the applicant) to prepare a Planning Statement to support a planning application seeking planning permission for the change of use of the existing building at 7 Rainforth Street, Longsight, Manchester to provide 8 self-contained apartments (Use Class C3) with associated elevational alterations.
- 1.2. This Planning Statement details the proposals and addresses relevant issues and material planning considerations identified in national and local planning policy.
- 1.3. This application is submitted following the withdrawal of the previous application which sought to provide 10 self-contained apartments within the basements and first to fourth floors. Following the withdrawal of the previous application discussions between the applicant and LPA have sought to identify concerns and these issues have been addressed within the resubmission.
- 1.4. This statement should be read in conjunction with the following plans and reports which detail the proposals:
 - Plans:
 - F11/EA/01 Rev K – Existing and Proposed Plans;
 - F11/EA/02 Rev A – Section;
 - F11/EA/03 Rev D – Elevations as Proposed;
 - F11/EA/05 – Location Plan;
 - F11/EA/12 Rev A – Proposed Elevations;
 - F11/EA/13 Rev C – Proposed Elevations;
 - F11/EA/14 – Existing Elevations;
 - F11/EA/15 – Existing Elevations;
 - Acoustic Report prepared by Lighthouse Acoustics;
 - Transport Statement prepared by Croft Transport Planning & Design.
- 1.5. All the information necessary to assess and determine the application should be found within these documents.

2. Site and Surrounding Area

- 2.1. The site comprises an existing 4 storey building with semi-basement located on the eastern side of Rainforth Street, Longsight. The ground floor of the building was most recently in retail use with the remaining floors serving as ancillary storage in connection with the retail use. The site has an area of 180sqm.
- 2.2. The site is located within Longsight District Centre, however, lies to the to the west of Stockport Road which is the primary retail street. Properties in Rainforth Street generally have retail at ground floor level, some with residential above. There are also several houses on the street.
- 2.3. The site is not located within a conservation area nor does it contain any listed buildings.
- 2.4. Having regard to the Gov.UK 'Flood Map for Planning, the site is located in Flood Zone 1.

3. Planning Policy Framework

- 3.1. Paragraph 11 of the National Planning Policy Framework requires (in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and Section 70(2) of the Town and Country Planning Act 1990), that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 3.2. The development plan consists of the Manchester Core Strategy DPD (July 2012) and saved policies from the Unitary Development Plan (2012).
- 3.3. The following policies from the Core Strategy DPD are relevant to the proposals:
- Policy SP1 – Spatial Principles;
 - Policy CC3 – Housing
 - Policy H5 – Central Manchester;
 - Policy C2 – District Centres;
 - DM1 – Development Management.
- 3.4. The following saved policies from the UDP are relevant to the proposals:
- Policy DC5 – Flat Conversions.
- 3.5. Although not part of the Development Plan the following Supplementary Planning Guidance is also relevant:
- Guide to Development in Manchester;
 - Manchester Residential Design Quality Guidance;
 - Waste Storage and Collection Guidance.

National Planning Policy Framework (February 2019)

- 3.6. The NPPF acknowledges that planning policies and decisions should play an active role in guiding development towards sustainable development solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 3.7. The updated National Planning Policy Framework (NPPF), sets out the Government's most up-to-date vision for future growth. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 3.8. Paragraph 8 states that there are three dimensions to sustainable development: economic, social and environmental and, as set out in paragraph 9, these provide broad objectives to be delivered through planning decisions.
- 3.9. At the heart of the NPPF is a presumption in favour of sustainable development as set out in paragraph 11. This means that local planning authorities should "approve development proposals that accord with the development plan without delay and where the development

plan is absent, silent or relevant policies are out-of-date, grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits”.

- 3.10. Paragraph 38 advises that LPAs should approach decisions on proposed development in a positive and creative way and seek to approve applications for sustainable development where possible.
- 3.11. Paragraph 59 sets the Government’s objective of “significantly boosting the supply of housing”. In order to achieve this objective, the NPPF identifies the importance of sufficient amount and variety of land comes forward where needed to meet the needs of different groups and also confirms that land with permission should come forward without delay.
- 3.12. Importantly paragraph 68 highlights the importance of small and medium sized sites in contributing towards housing provision due to their ability to be delivered quickly.
- 3.13. Paragraph 109 states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 3.14. Paragraph 117 sets out, “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.”
- 3.15. Paragraph 121 states, “Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans”, such uses as the use of retail or employment land for homes.

4. Planning Considerations

- 4.1. The proposals seek to provide 8 self-contained apartments (Use Class C3) with associated elevational alterations (4 x 1 bed and 4 x 2 bed). The proposals include the insertion of an additional floor within the existing building with the apartments occupying first to fourth floors of the building. The ground floor and basement will remain in retail use.
- 4.2. The previous application (LPA Ref: 124658/FO/2019) sought permission for 10 self-contained apartments within the basements and first to fourth floors. This application was withdrawn by the applicant following discussions with the case officer who set out several concerns (see email correspondence attached at Appendix 1). The current scheme has been designed to overcome the identified issues which are discussed below.
- 4.3. In addition to the withdrawn application a prior notification for the change of use of the first, second and third floors from storage and distribution (Use Class B8), to three apartments (Use Class C3) was refused in May 2019 (LPA Ref: 123137/P3PPA/2019). Prior approval was refused as the proposed changes failed to meet permitted development requirements given the site had not been solely used within storage and distribution use as of 19th March 2014 (decision attached at Appendix 2).
- 4.4. The application site sustainably located with an urban area. The site is not subject to any site-specific designations or allocations. As such residential development site is acceptable in principle.
- 4.5. In accordance with Core Strategy C2 the development would positively contribute towards a mix of uses in the district centre and would promote the efficient reuse of land and premises.

Quantity of Development

- 4.6. It was considered that the development would result in an over intensive use of the site and would not be supported by appropriate bin storage, amenity space and car parking. The current scheme has reduced the amount of development from 10 to 8 flats and does not include the basement. New dedicated secure bin stores are now provided at ground floor level with direct access from the side passageway. The proposed development therefore results in a less intensive use of the site, it is considered that the proposals strike a balance between providing a good standard of living for future residents whilst making efficient use of the building to provide new dwellings.
- 4.7. It is considered that the site is capable of accommodating 8 residential dwellings including through the provision of an additional floor. Therefore, this element to the scheme has been retained.
- 4.8. Changes of use from retail to residential are encouraged in national policy and indeed permitted development rights exist for such changes (Classes G and M). Whilst the proposed development does not comprise permitted development due to its size the intension of these policies in clear in that they will reduce redundant retail space to boost housing supply in accordance with NPPF.
- 4.9. As suggested the change of use of the basement has been omitted from the proposed development. This space is retained for storage in connection with the retail use. This should

overcome the concerns over the relationship between the two uses as they are now clearly defined and separated with their own entrances.

- 4.10. The revised application is submitted with an Acoustic Report which was prepared in response to the consultation response from Environmental Health received in relation to the withdrawn application. A detailed environmental sound assessment of the proposed residential development has been undertaken and acoustic specifications for glazing/ventilation elements have been provided in order to achieve the requirements of the Local Authority.

Parking & Sustainability

- 4.11. As with the current use, no dedicated parking is proposed within the site. The site is located in a highly accessible location and therefore encourages sustainable forms of transport rather than private car including by foot, cycle and public transport. An extensive bus local bus network operates Stockport Road less than 200m from the site.
- 4.12. The application is submitted with a Transport Statement which includes TRICS analysis in relation to the proposed residential apartments. It is concluded that the proposed development will have a negligible impact on the safety and operation of the local highway network. Therefore, in accordance with paragraph 109 of the NPPF, the development should not be resisted on highway grounds.

Space Standards

- 4.13. The proposed units have been designed to take account of the space standards set out in the Manchester Residential Quality Guidance document. These standards reflect the National Described Space Standards and require one bed 2 person properties to have a floorspace of 50sqm and two bed 3 person properties 61sqm. The proposed apartments would have floorspaces of 50.4sqm and 62.3sqm respectively and therefore exceed the minimum space standards and would meet the needs of the residents.

Refuse and Cycle Storage

- 4.14. The proposals include a secure refuse storage within the ground floor of the building. The refuse and recycling area for the residential element meets the criteria set out in the Waste Storage and Collection Guidance document produced by the Council. The space is sufficiently sized to accommodate the required bins and recycling containers and is located so that bins do not dominate the road frontage.
- 4.15. The removal of the refuse storage from the rear yard has enabled the provision of a greater number of secure cycle spaces (16 spaces are provided). Access to the rear yard will be via a locked door from the side passageway only with the direct access from the building being removed.

5. Conclusions

- 5.1. KAAM Limited are seeking full planning permission for the change of use of the building to provide 8 self-contained apartments (4 x 1 bed and 4 x 2 bed) with associated elevational alterations at 7 Rainforth Street, Longsight.
- 5.2. This application comes forward following the refusal of a previous application which sought to provide 10 residential apartments. This submission follows discussions with the planning officer and has sought to address all the previous design issues.
- 5.3. The current application is submitted with a Transport Statement and Acoustic Report to address previous issues raised by statutory consultees.
- 5.4. The proposals have been assessed against all relevant national and local planning policy and the NPPF's presumption in favour of sustainable development. For the reasons stated in this statement it is requested that the officer appointed to determine this application should look upon this scheme favourably and recommend approval without delay.
- 5.5. Should there be any queries regarding the application submission then please contact Jack Appleton (ja@broadgrove.co.uk).

APPENDIX 1

Subject:

FW: 124658/FO/2019 - 7 Rainforth Street Manchester M13 0RP

On Tue, 3 Dec 2019 at 17:22, Carl Glennon <c.glennon@manchester.gov.uk> wrote:

Dear Mr Holmes.

The above planning application has been assessed and it is considered that, whilst there may be some benefit from bringing the building back into active use, the development would present a number of concerns:

- i. It is considered that the development would result in the overly intensive use of the site and would not be supported with appropriate bin storage, amenity space and car parking. It is therefore important the potential harm associated with the use be reduced through ensuring an appropriate mix of uses and density of occupation. It should also achieve satisfactory quality of development and waste management.
- ii. The standard of proposed accommodation would not be acceptable. The proposed floorpace for each apartment would be significantly below the criteria with the Manchester Residential Quality guidance. The proposed apartment sizes, even for a building conversion, need to respond far more positively to the following space criteria for a single storey (floor) dwelling:

3 bedroom, 4 person – 74 sq. metres

3 bedroom, 45 person – 86 sq. metres.

- iii. It is considered that the basement apartment and ground floor retail unit would not be satisfactorily related to each other. The residential use would be harmed by noise transfer and disamenity associated with related activity. It is recommended that the basement apartment be omitted and the resulting space be used as storage in association with the ground floor retail use.

- iv. Given the limited space with the yard area, consideration should be given to incorporating bin and cycle storage within part of the ground floor unit in relation to the residential and retail uses. Reference should be made to the following guidance to ensure waste management criteria is met, including transfer distances. Please refer to the following City Council guidance to determine how this might be achieved:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

- v. There is concern how regarding securing access to the rear yard given the mix of uses with access to it. It is considered that an assessment of site security be provided and submitted.
- vi. Given the above concerns and the constraints of the site, it is considered that the formation of a residential mezzanine floor would be inappropriate as it would add to an excessive density of occupation. The LPA recommends the omission of the mezzanine floor.

Taking these issues into account, I must advise you that the development cannot be submitted in its submitted form.

It is considered that significant changes to the development would be required, if these concerns are to be addressed. This would be best achieved through the withdrawal of the current planning application and the submission of a new planning application.

A separate email will be forwarded to you advising of consultation responses, which may be helpful when preparing your response and / or revised application.

I hope that the above is helpful.

Yours sincerely,

Carl

Carl Glennon

Planning Officer,

Growth and Development Directorate,

Development Management North,

Planning,

Manchester City Council,

Floor 6 Town Hall Extension,

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This footnote also confirms that this email message has been swept for the presence of computer viruses.

APPENDIX 2



MANCHESTER
CITY COUNCIL

Planning

Carl Glennon
Telephone: 0161 234 4530
c.glennon@manchester.gov.uk

P O Box 532 Town Hall
Manchester M60 2LA

Phil Holmes
1 Cranleigh Avenue
Stockport
SK4 3PZ

Date: 13 May 2019

Dear Sir/Madam,

**Town & Country Planning (General Permitted Development) (England) Order 2015
(as amended) Part 3 Class P**

Application No: 123137/P3PPA/2019

**Prior notification application for the change of use of first, second and third floors
from Class B8 storage and distribution to 3 no. Class C3 residential apartments at 7
Rainforth Street, Manchester, M13 0RP**

I write with reference to the above application and advise you that prior approval is
refused for the following reason(s):

1) The proposed use fails to meet the permitted development rights for a change of use from storage and distribution (Class B8) to dwellinghouse (Class C3) to housing as specified within Town and Country Planning (General Permitted Development) Order 2015 (as amended) Schedule 2, Part 3, Class P - 'Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B8 (storage or distribution centre) of the Schedule to the Use Classes Order to a use falling within Class C3 (dwellinghouses)' in that: that the building has not used solely for a storage or distribution centre use on 19th March 2014.

The development would therefore fail to comply with Schedule 2, Part 3, Class P (a).

Should you wish to discuss this matter any further please contact Carl Glennon.

Yours faithfully,

Julie Roscoe
Head of Planning, Building Control & Licensing

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.