

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142030/FO/2025

Date registered valid: 25 February 2025

Proposal: Erection of a single storey rear extension in association with the ground floor retail use; rear roof dormer extension in association with the change of use of upper floors to create 2no. self contained flats with erection of L-shape dormer to rear and alteration to shop front to create access to the 2 flats above.

Address: 185 Mauldeth Road, Manchester, M19 1BA

Ward(s): Burnage Ward

Applicant: Dr Karim Mirza

Agent (if any): Mr Ahmed Choudhry, Nada Architects

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19 May 2025

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 16th April 2025

Standard consultations:

Printed: 11 March 2025 Expired: 1 April 2025

Neighbour notifications

Printed: 7 May 2025 Expired: 14 May 2025

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 is a next to end of terrace commercial property. The unit was previously one half of a double unit, and was occupied by a white goods repair shop. It is now currently vacant, and only one half of the property identified as 185 Mauldeth Road is forming the proposal site. The property is a 2 storey brick property that sits close to the junction of Harwood Road and Mauldeth Road. It has previously had consent in 1984 for a single storey rear extension within the yard area. There is a ginnel that runs to the rear, and access to the rear yard is taken off there.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The remainder of the block is commercial with a day nursery occupying what was the former The Mauldeth public house at the junction of Mauldeth Road and the A34 Kingsway to the east of the site. The train station is further west along Mauldeth Road, and the Khanka Naqshbandia Mujaddadia Mosque also sits at the opposite corner of Harwood Road to the west. There are additional retail/ commercial units further west. Opposite the site are a small block of residential properties, with residential properties continuing as you turn out onto Kingsway

Description of development

The proposal is for the erection of a single storey extension in the rear yard to replace the single storey extension that currently occupies the yard, erection of an 'L' shaped dormer to the first floor which will convert the roof-space into a 1 bed flat and change of use of the first floor into a 2 bed flat from storage, office and staff kitchen. There will be the creation of a separate entrance on the property frontage accessed from Mauldeth Road to provide access to the first

and second floor residential accommodation which requires elevational alterations to the shop front to facilitate this.

Consultations & Notification Responses

Local residents were informed- Two rounds of consultation took place one representation has been received from the first round, no representations from the second round. The main points of concern were as follows-

There already needs to be some sort of parking restrictions in place for the small number of houses facing this development.

The level of traffic and current parking situation is unbelievable. The Mosque and people using the train station already generates a lot of traffic and parking issues. Not to mention the air pollution which is likely well above what it should be in this area in close proximity to the local park and primary school.

Additional opening of further commercial units has added to the traffic issues with people parking on the pavement and across driveways. This together with the nursery creates parking problems on Mauldeth Road and Harwood Road for up to twelve hours a day.

Because the properties on Mauldeth Road are so close to the A34, people often park here to then walk over to the shops and takeaways along Kingsway as it is easier for them not to have to travel along the one way system.

The new flat development behind the Mosque is going to generate more parking particularly as one of the entrances to the flats is off Harwood Road.

With 185 Mauldeth Road being brought back into use as retail it will cause excess traffic and more parking needs. It results in issues of highway safety in the vicinity of the site. Introducing more residential above the retail unit with therefore more residents in the area will put additional strain on such services as Doctors and Dentists in the area which are already difficult to access.

Environmental Health- No objections subject to the attachment of conditions relating to hours of construction, acoustic insulation between the residential and commercial elements, residential sound insulation and overheating and waste management.

Highways- The level of trips generated is anticipated to be minimal and as such no highways concerns are expected.

The site is accessed by sustainable modes. Regular bus services are routed along Mauldeth Road. Mauldeth Road Train Station is located within a short walking distance of the site and provides regular services to local and national destinations.

A condition requiring a scheme for secure and sheltered cycle storage at the ground floor for the use of residents, visitors and staff should be attached to any consent granted, together with conditions relating to waste management, and deliveries.

Greater Manchester Police- Having reviewed the drawings submitted, we would not support this application. The residential access to the rear of the property is far from ideal. Access to the rear of the property has very little natural surveillance and this will leave residents & visitors vulnerable to criminality, fear of crime, and antisocial behaviour.

These comments were relayed to the agent who has now revised the proposal in order that the access is now taken from the front of the property achieving good levels of natural surveillance of people entering the property from a well trafficked frontage, this has now resolved the issue of the access from the rear that was previously raised by the police.

Issues

Policies

The National Planning Policy Framework (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective
- a social objective and
- an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

Core Strategy Development Plan Document - 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, Spatial Principles - 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 and protect and enhance the built and natural environment.

Policy EN 1, Design Principles and Strategic Character Areas - This policy states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy H1, Overall Housing Provision - This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and goes on to state that new residential development should take account of the need to:

- o Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- o Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of
- o the availability of developable sites in these areas;
- o Contribute to the design principles of Manchester LDF including in environmental terms.

The design and density of a scheme should contribute to the character of the local area.

All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;

- o Prioritise sites which are in close proximity to centres of high frequency public transport routes;
 - o Be designed to give privacy to both its residents and neighbours.
- Policy DM1, Development Management - This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance are:
- o Appropriate siting, layout, scale, form, massing, materials and detail.
 - o 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.
 - o Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
 - o Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
 - o Adequacy of internal accommodation and external amenity space.
 - o Refuse storage and collection.

Manchester Shopfront and signage Guidance

This document sets out best practice for shopfronts and signage design across the City in order to promote positive change in the context of its urban environment. This document builds upon and provides more detailed advice and guidance on policies contained within the Local Plan, in particular Core Strategy Policies CC9, DM1, EN1, EN3, SP1, Places for Everyone Policies JP-S1, JP-S2, JP-P1, JP-P2, and Saved UDP Policies 14, 15, 18 and 19.

New shopfronts and alterations to existing shopfronts should be considered in the context of the whole building and the street scene.

Shopfronts should reflect and respond positively to the architectural expression and proportions of the existing building. Any alterations should relate to upper storeys in terms of siting, scale, alignment, including windows, doors and elements of the frame (i.e. pilasters).

In the interest of a cohesive street scene, shopfronts should relate to one another in terms of siting, scale, design, definition and the use of materials, finishes and colour.

Places for Everyone

Places for Everyone (2022-2039) - Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The following policies are relevant:

JP-S1, JP-S2, JP-P1, JP-P2

Issues

Principle of the Proposal - The principle of creating two self-contained flat is acceptable. Together with the elevational alterations required to facilitate this. Notwithstanding this, the provision of the flats, along with the associated dormer, must be assessed to determine if existing levels of residential and visual amenity would be negatively impact upon. The fallback position would allow 2 flats to be constructed above the ground floor commercial property however consent would be required for the additional works to facilitate their use and would also limit the size of the flats that could be created.

Space Standards - At 46m² and 58m² the floor area of the proposed 1 and 2 bed flats comply with the National Prescribed Space Standards.

Design and Siting - The design and siting of the proposed dormer extension is now considered acceptable. The scheme currently under consideration is a revision to the original submission,

which was considered to be top heavy in that it projected the full length of the outrigger at first floor. The access point to the first and second floor flats has also been relocated to the front of the property, as was previously proposed off the rear alley way. The siting of the new residential access is now acceptable having very little impact on the quality of the elevations of the parade. It proposes level access. Given this, it is not considered that it would have a detrimental impact upon the existing levels of residential and visual amenity enjoyed within the vicinity of the site. There are other commercial properties within the area that have had the benefit of permission for schemes of this nature, and as such the introduction of the door and the reconfiguration of the glazing is not alien in this particular street scene.

Shop front- The doorway to the existing shop front is centralised with glazed window either side. To facilitate the entrance to the accommodation above a new door has been introduced on the front elevation. The front elevation is currently of little merit architecturally, and it is not considered that the proposed change has a detrimental impact upon the character of the property nor the area within which it is located. This is only a small commercial terrace and the remainder of the units at ground floor have had the same kind of treatments to the frontage, as they have too provided residential accommodation to the floors above.

Acoustic Insulation - Given the proximity of the proposed flats to Kingsway, the acoustic insulation condition suggested by Environmental Health would be attached to any consent granted.

Privacy - Given the location and orientation of the windows in the proposed dormer extension, it is not considered that they would lead to overlooking and impact upon the levels of privacy enjoyed by adjoining residents. A condition limiting additional windows to be introduced into the property under Permitted Development will be attached to any consent granted.

Pedestrian and Highway Safety - Given the number of flats proposed, it is not considered that the proposal would have a detrimental impact upon the existing levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Refuse Storage - The waste management condition suggested by Environmental Health would be attached to any consent granted.

Air Quality - As the property is located within an Air Quality Management Area it is prudent to attach the suggested air quality condition as this will require the applicant to incorporate a clean air intake into the proposal.

Cycle Storage - A condition requiring the safe and secure parking of cycles would be attached to any condition granted.

Other Legislative Requirements **Equality Act 2010**

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application. Revised plans have been received which now merits a recommendation of approval following the assessment against both local and national policies.

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

Location plan- received 30th January 2025

25-1318 (04) 001 Rev PL2-Proposed Floor Plans and Site Plan received by email 17th April 2025.

25-1318 (02) 001 Rev PL1- Proposed Elevations received by email 17th April 2025.

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) The materials to be used on the external elevations of the dormer extension hereby approved shall match those of the existing roof in colour, size and texture.

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Manchester Core Strategy.

4) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Mauldeth Road, Kingsway and the nearby trainline shall be submitted to and approved in writing by the City Council as local planning

authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night -time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved when providing adequate ventilation as defined by Approved Document F of the Building Regulations (whole dwelling ventilation):

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 10 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

Higher internal noise levels than those specified above may be allowed when higher rates of ventilation are required in relation to the overheating condition.

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the verification report shall be detailed along with any measures required to be undertaken prior to first occupation of the residential units to ensure compliance with the internal noise criteria.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating.

5) Before the development hereby approved is brought into use, a scheme for the storage 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 or development is in operation.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

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

6) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the verification report shall be detailed along with any measures required to be undertaken prior to occupation of the development to ensure compliance with the internal noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to Policy DM1 in the Manchester Core Strategy and saved Policy DC26.

7) Prior to first use, details of the specifications, elevations, and appearance of secured covered cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The agreed details shall be fully implemented prior to the first use of development, retained and maintained thereafter.

Reason - In the interest of residential amenity and to promote sustainable transportation modes pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

8) 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) no windows or doors shall be inserted into the elevations of the extensions hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Informatives

1) Due to the proximity of the development to the nearby trainline it shall be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Groundborne noise/re-radiated noise shall also be factored into the assessment and design.

2) The proforma/ Waste Management Strategy must include the following information:
Estimated volumes and types of waste produced by the development;
Details of internal and external stores for both waste and recycling, including any plans and designs;
Location of the proposed collection point and details of the route the collection vehicle will take;
Details of how waste will be transferred between stores and to the collection location; and
Details of number and capacity of bins proposed and collection frequency.
Other details as per 'Waste Proforma v1.0' - refer to guidance at www.manchester.gov.uk/downloads/download/6048/waste_management_strategy
10 units or below = low rise
11 or above = high rise

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

First Floor, 189 Mauldeth Road, Manchester, M19 1BA
187A Mauldeth Road, Manchester, M19 1BA
187 Mauldeth Road, Manchester, M19 1BA
188 Mauldeth Road, Manchester, M19 1BF

189 Mauldeth Road, Manchester, M19 1BA
190 Mauldeth Road, Manchester, M19 1BF
186 Mauldeth Road, Manchester, M19 1BF
184 Mauldeth Road, Manchester, M19 1BF
182 Mauldeth Road, Manchester, M19 1BF
180 Mauldeth Road, Manchester, M19 1BF
Rainbows Day Nursery At Mauldeth Hotel, Kingsway, Manchester, M19 1BB
183 - 185 Mauldeth Road, Manchester, M19 1BA

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: SOUTH AREA