

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141933/FO/2025
Date registered valid: 17 January 2025
Proposal: Erection of two storey side extension associated with conversion of first floor to private dining space including elevational alterations
Address: Albert's Restaurant And Bar, 120 - 122 Barlow Moor Road, Manchester, M20 2PU
Ward(s): Didsbury West Ward

Applicant: Mr James Ramsbottom Elle R Leisure
Agent (if any): Mr Jonathan Davidson Jonathan Davidson Architects
Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 21 May 2025



Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 7 February 2025

Standard consultations:

Printed: 30 January 2025 Expired: 20 February 2025

Neighbour notifications

Printed: 30 January 2025 Expired: 20 February 2025

Site notice

Posted: 7 February 2025 Expired: 28 February 2025

Press advert

Published: 4 February 2025 Expired: 25 February 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

Albert's Restaurant and Bar is a detached mid to late 19th Century building in use as a restaurant in a prominent position on the north side of Barlow Moor Road. The property is located within the Albert Park Conservation Area. The site faces the junction of Mersey Road and is elevated from street level. There is a paved front curtilage partly under a glazed canopy, single storey brick extension on the west side and small tarmac surface parking area at the rear. The building is rendered white with steep cross-gable roofs at each end and two small dual pitched dormers on the front elevation.

Listed building: No

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: No

Description of development

Erection of two storey side extension associated with conversion of first floor to private dining space, along with associated elevational alterations.

Originally the applicant proposed an extension that sat flush with the existing front elevation. However, following discussions the front elevation of the proposed extension was set back by 0.625 metres.

Planning permission to erect a first-floor side extension was approved in August 2022 (ref: 134104/FO/2022) and that has been constructed.

Consultations & Notification Responses

Local Residents – Two letters of objection have been received from local residents who have voiced concerns about the existing problems associated with the property:

- The properties on Old Lansdowne Road have been affected massively with noise pollution from guests at Alberts, in addition to parking.
- The Biffa rubbish collections are done at antisocial hours sometimes as early as 5.50am and as late as 9pm. The vehicles are loud and noisy and when the bottle bins are emptied the noise is excessive.
- The staff conduct loud and rowdy conversations at the back door and there's never any peace unless it's a Monday when Alberts is shut.
- The road is often blocked to an absolute standstill while Alberts accepts deliveries with members of the public ending up doing point duty to get traffic moving.
- The noise in general is antisocial, the volume of pedestrians and cars is excessive and the area is not conducive to a busy restaurant and bar.
- There is not enough parking for the premises, the private dining use would exacerbate the problem.

Ward Councillors – Cllr Leach has submitted the following objections:

- The extension and intensification of use of the site will increase footfall by 20%. I calculate that there are to be 40 extra covers in the upstairs use. It is currently approximately 180-200 downstairs.
- Intensification of use of the site by extending the use to upstairs will cause further parking chaos, additional noise and disturbance for residents, and make traffic and parking even more dangerous than it currently is. The application should be refused because there is no way in which suitable parking spaces can be provided for the existing number of vehicles coming to the site, never mind the proposed 20% increase.

Highway Services – Have made the following comments:

- The proposal is for the expansion of the existing restaurant to 1st floor level to provide private dining facilities. It appears that the 1st floor private dining room will accommodate in total 10no. tables and 40no. seats. It would be useful to understand the frequency of use of the 1st floor private dining facility. The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.
- The level of trips generated by the proposed development is anticipated to be minimal and as such no highways concerns are expected.
- The site is reasonably accessed by sustainable modes. Regular bus services are routed along Barlow Moor Road. Metrolink services are located within walking distance from the site.
- There is a car park to the rear of the site which provides 14no. car parking spaces including 2no. disabled parking spaces. It is understood that this will remain unaffected by the proposal. Further clarification is sought on how car parking will be managed at the site with the proposed 1st floor private dining facility.
- Refuse bins will be located in the existing bin store with the site boundary. It is assumed that the refuse servicing arrangement for the site will continue as existing. It appears that the existing service yard & outdoor furniture store is to be lost. Confirmation is required on whether the existing delivery servicing arrangement at the site will be affected.

Environmental Health – Suggests the imposition of a condition limiting when building works can be undertaken.

Policies

The National Planning Policy Framework (December 2024) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

In addition to the above, Section 16 (*Conserving and enhancing the historic environment*) is of relevance:

Paragraph 210 in Section 16 states that in determining planning applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 214 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Places for Everyone Plan – This plan was adopted on 21 March 2024, as such the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The relevant policy is set out below:

Policy JP-Strat9, *Southern Areas* – This policy states that the economic competitiveness, distinctive local neighbourhood character and environmental attractiveness of the southern areas will be protected and enhanced. There will be a strong emphasis on making as much use as possible of suitable previously developed (brownfield) land and promoting the roles of the areas' town centres and its other key assets.

Policy JP-P2: *Heritage* – This policy states that the member authorities will proactively manage and work with partners to positively conserve, sustain and enhance their respective historic environments, heritage assets and their settings.

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 DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, of which the following are of most relevance:-

- 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, 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.
- Community safety and crime prevention.
- Design for health.
- Vehicular access and car parking.

- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Flood risk and drainage.

Policy EN 3, *Heritage* – Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Saved UDP Policies – Policy DC18, *Conservation Areas* – Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

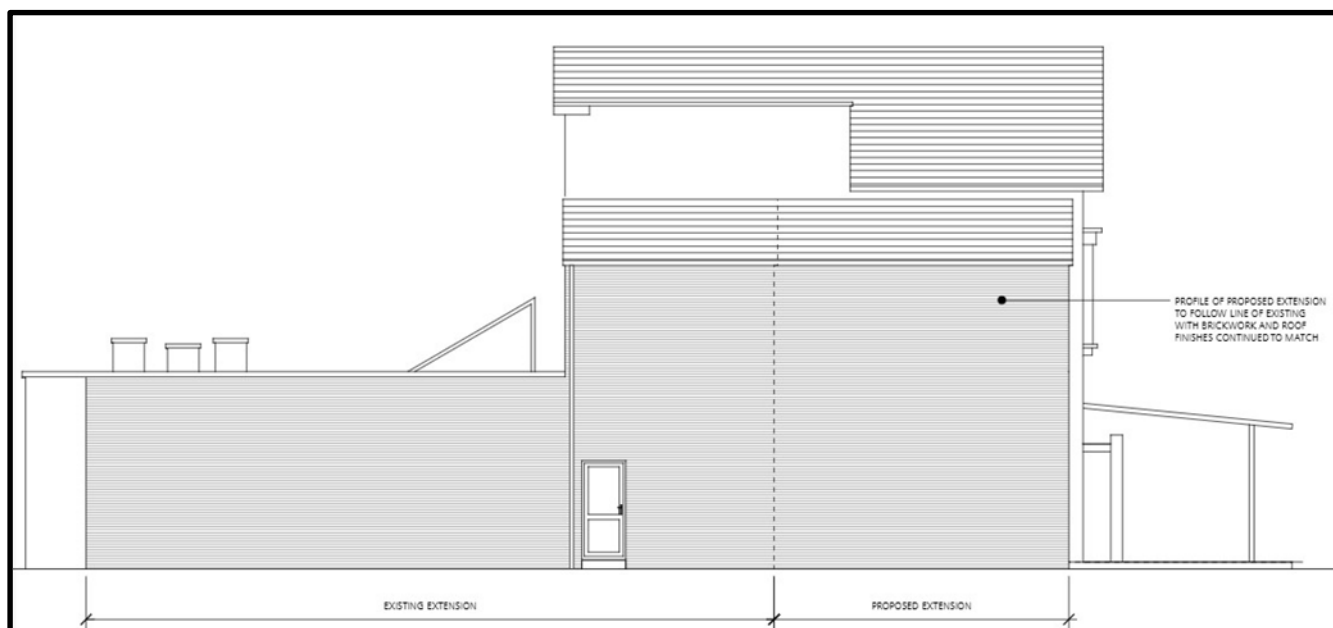
- a) The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including
 - iv. street trees);
 - v. the effect of signs and advertisements;
 - vi. any further guidance on specific areas which has been approved by the Council.
- b) The Council will not normally grant outline planning permission for development within Conservation Areas.
- c) Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Issues

Principle of the Proposal – The principle of the proposal is considered acceptable, though the impact upon the character of the Albert Park Conservation Area must be considered. In addition, an impact upon the existing levels of visual and residential amenity enjoyed within the vicinity of the site must be assessed.

Design of the Extension – Planning permission to erect a ground floor extension and a first-floor extension have previously been granted. Those extensions have been constructed from red brick. This extension would be located to the front of those extensions and would also be constructed from red brick, but would also incorporate glazing to enhance the separation between the original building and proposed extension. To lessen its impact on the original building, the design was amended and a 625mm setback from the front elevation was introduced.



Heritage and Urban Design were consulted and have confirmed that the proposed setback is acceptable and an improvement on the original design.

Overall, the design of this modest extension is considered acceptable.

Impact upon the Character of the Albert Park Conservation Area – The requirement to preserve or enhance the Conservation Area is a key requirement within policy EN3 of the Core Strategy, saved policy DC18 of the UDP, along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials.

The Albert Park Conservation Area, which was designated in March 1988, is situated approximately four miles south of Manchester city centre, in West Didsbury. Albert Park as a residential suburb was established in the second half of the 19th Century on what was previously an outlying rural area. Development began along Palatine Road after it was opened in 1862, and from then until the close of the century, the area between Palatine Road, Barlow Moor Road and Lapwing Lane was developed with housing. These consisted mainly of three-storey pairs of semi-detached properties, slightly less grand than those fronting Palatine Road. Development accelerated with the opening of the Midland Railway's Withington and Albert Park railway station in 1880, which was sited directly opposite numbers 22-24 Lapwing Lane. Further expansion took place in the early 20th century, with the post-war period characterised by infill development. Though principally an area of housing, the conservation area also includes a district shopping centre on Burton Road, a smaller group of shops on Barlow Moor Road, schools, public houses and a number of churches.

The properties within the Albert Park Conservation Area generally have walls of red or orange-red brick with dressings in stone, moulded brick or a brick of a contrasting colour. Heavily moulded and strongly contrasting colours in terracotta or glazed ceramic ware are meanwhile reserved for the public buildings such as Withington Town Hall on Lapwing Lane and Cavendish Road County Primary School. The roofs of the Albert Park houses are predominantly of blue slate. Ridge tiles sometimes have decorative fins, while bargeboards and eaves boards are occasionally moulded and decorated with fretwork. Trees make a considerable contribution to the character of the area, both in the pavements and more significantly in private gardens.

Given the extension's modest scale, design and use of materials that complement the existing building, it is considered that the proposal would preserve the key characteristics of the Albert Park Conservation Area, including its pattern of development, architectural coherence, and historic setting. Furthermore, the extension would not obstruct important views throughout the conservation area. Therefore, while the extension may constitute a minimal degree of change, it would not undermine the Albert Park Conservation Area's overall character or significance, and any minor harm would be clearly outweighed by the continued viable use of this valued community facility. As a result it is considered that this modest two-storey side extension to Albert's Restaurant and Bar would result in a "less than substantial" impact on the significance of the Albert Park Conservation Area.

Visual Amenity – Given the design and siting of the extension it is not considered that the proposal would have a detrimental impact upon the existing levels of visual amenity enjoyed within the vicinity of the site.

Residential Amenity – The proposed extension would not lead to any overlooking and associated loss of privacy or overshadowing of the adjoining building. Furthermore, as the entrance to the stairway is from the Barlow Moor Road frontage it is not considered its use would have a direct impact, in terms of noise and disturbance, on the neighbouring residents. The front of the property is already in use as part of the overall planning unit with tables and chairs both covered and uncovered, generating activity and comings and goings associated with the lawful use of the property. Overall, it is not considered that the proposal would give rise to a detrimental impact upon the existing levels of residential amenity enjoyed by neighbouring occupants.

It is acknowledged that those residents who submitted comments have concerns about the current operation of the premises, particularly in terms of car parking and noise generated by the use and servicing operations. While those issues cannot be resolved as part of this application, given this is only for a two-storey side extension to provide an entrance and stairway to the first-floor dining area, investigations will be undertaken to determine whether or not enforcement action can be utilised to resolve some of these concerns, e.g. when bins are collected.

An informative about construction work is recommended in this instance.

Car Parking – The proposal has no implications on the existing car parking layout.

Concerns have been raised that insufficient car parking exists for the first-floor dining activities. However, as planning permission is not required to use the first floor as a dining space and this application is only for a two-storey side extension to create a stairway, refusing the application on parking grounds would not be justified.

Pedestrian and Highway Safety – It is not considered that the proposed two storey side extension would generate significant additional highway movements so as to have a detrimental impact upon the levels of pedestrian and highway safety enjoyed along Barlow Moor Road and Old Lansdowne Road. This has been acknowledged by Highway Services.

Waste Storage and Removal – The existing facilities are to be retained. Issues over collections, particularly the times they are undertaken, are to be investigated.

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 based on seeking solutions to issues arising from the consideration of this 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 development hereby approved shall be carried out in accordance with the following drawings:

- a) Received on 17 Jan 2025 - 381 PD 0100 - THE LOCATION PLAN
- b) Received on 17 Jan 2025 - 381 PD 0101 - SITE/BLOCK PLAN - EXISTING
- c) Received on 30 Apr 2025 - 381 PD 1101 (A) - SITE LAYOUT
- d) Received on 30 Apr 2025 - 381 PD 1102 (A) - GROUND FLOOR PLAN
- e) Received on 30 Apr 2025 - 381 PD 1103 (A) - FIRST FLOOR PLAN
- f) Received on 17 Jan 2025 - 381 PD 1104 - FRONT ELEVATION
- g) Received on 17 Jan 2025 - 381 PD 1105 - REAR ELEVATION
- h) Received on 30 Apr 2025 - 381 PD 1106 (A) - PROPOSED SIDE ELEVATION
- i) Received on 17 Jan 2025 - 381 PD 1107 - SECTION AA

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) No above ground works shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

1) To safeguard the amenities of nearby residents, construction and demolition works shall be confined to the following hours:

- a) Monday - Friday: 7.30am - 6pm
- b) Saturday: 8.30am - 2pm
- c) Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Heritage & Urban Design
West Didsbury Residents Association
114 Clyde Road, Manchester, M20 2JN
116 Clyde Road, Manchester, M20 2JN
Flat 7, 128 Barlow Moor Road, Manchester, M20 2PU
Flat 6, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 5, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 4, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 3, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 1, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 2, 126 Barlow Moor Road, Manchester, M20 2PU
Flat L, 110 Clyde Road, Manchester, M20 2JN
Flat D, 110 Clyde Road, Manchester, M20 2JN

Flat B, 110 Clyde Road, Manchester, M20 2JN
Flat C, 110 Clyde Road, Manchester, M20 2JN
Flat A, 110 Clyde Road, Manchester, M20 2JN
Flat P, 110 Clyde Road, Manchester, M20 2JN
93B Old Lansdowne Road, Manchester, M20 2NZ
93A Old Lansdowne Road, Manchester, M20 2NZ
Flat 6 - 9, 105 Clyde Road, Manchester, M20 2WW
Flat 6, 128 Barlow Moor Road, Manchester, M20 2PU
Flat 4, 128 Barlow Moor Road, Manchester, M20 2PU
Flat 2, 128 Barlow Moor Road, Manchester, M20 2PU
95 Old Lansdowne Road, Manchester, M20 2NZ
107 Clyde Road, Manchester, M20 2WW
124 Barlow Moor Road, Manchester, M20 2PU
126 Barlow Moor Road, Manchester, M20 2PU
Flat 2, 124 Barlow Moor Road, Manchester, M20 2PU
Flat 1, 124 Barlow Moor Road, Manchester, M20 2PU
Cambridge House, 133 Barlow Moor Road, Manchester, M20 2PW
Flat C, 108 Clyde Road, Manchester, M20 2JN
Flat D, 108 Clyde Road, Manchester, M20 2JN
Flat E, 108 Clyde Road, Manchester, M20 2JN
Flat A, 108 Clyde Road, Manchester, M20 2JN
Flat 3, 124 Barlow Moor Road, Manchester, M20 2PU
Flat B, 108 Clyde Road, Manchester, M20 2JN
108 Clyde Road, Manchester, M20 2JN
128 Barlow Moor Road, Manchester, M20 2PU
Flat 4, 109 Clyde Road, Manchester, M20 2WW
Flat 3, 109 Clyde Road, Manchester, M20 2WW
Flat 2, 109 Clyde Road, Manchester, M20 2WW
Flat 1, 109 Clyde Road, Manchester, M20 2WW
Flat 5, 128 Barlow Moor Road, Manchester, M20 2PU
Flat 3, 128 Barlow Moor Road, Manchester, M20 2PU
Flat 1, 128 Barlow Moor Road, Manchester, M20 2PU
132 Old Lansdowne Road, Manchester, M20 2NY
112 Clyde Road, Manchester, M20 2JN
Didsbury Business Centre, 137 Barlow Moor Road, Manchester, M20 2PW
118 Barlow Moor Road, Manchester, M20 2PN
130 Old Lansdowne Road, Manchester, M20 2NY
128 Old Lansdowne Road, Manchester, M20 2NY
126 Old Lansdowne Road, Manchester, M20 2NY
139 Barlow Moor Road, Manchester, M20 2DY
116 Barlow Moor Road, Manchester, M20 2PN
111 Clyde Road, Manchester, M20 2WW
105 Clyde Road, Manchester, M20 2WW
103 Clyde Road, Manchester, M20 2WW
101 Clyde Road, Manchester, M20 2WW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Conservation Area - Albert Park Conservation Area 1988
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA