

PLANNING

GROWTH & DEVELOPMENT

DELEGATED OFFICER REPORT FOR PLANNING APPLICATION

Application no. 142903/P3MAP/2025

Date registered valid: 8 May 2025

Proposal: Prior approval application for the conversion of the ground floor from a retail unit to 1no. apartment

Address: 202 Mauldeth Road, Manchester, M19 1AJ

Ward(s): Burnage Ward

Applicant: Mr Elliot Shalom

Agent (if any): Mr David Bitan, Debtal Architecture LTD

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 June 2025

APPLICATION DETAILS

Type of application: Prior approval- Class E-Dwell (Class MA)
Development type: Notifications
Standard consultations: Printed: 13 May 2025 Expired: 4 June 2025
Neighbour notifications: Printed: 13 May 2025 Expired: 4 June 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
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The proposal is related to a two storey mid terrace property on Mauldeth Road. The property features an existing Class E unit to the ground floor (to which this application applies) and an existing first floor dwelling. The principal elevation features a shopfront with roller shutters and the rear features a two storey outrigger and rear yard with access to a shared alley.

Description of area

The property is located in a row of shops in a mostly residential part of the Burnage Ward of Manchester. The former Burnage Cricket Club ground sits opposite.

Description of development

Prior approval application for the conversion of the ground floor from a retail unit to 1no. apartment

The applicant proposes the conversion of the existing ground floor retail unit into a 45m² 1bed 1person dwelling.

The proposal includes elevational changes to the front including the removal of the roller shutters and fascia board

PLANNING HISTORY

071858/FU/2004/S1

Description: Change of use from offices (Class A2) to cafe/hot food takeaway (Class A3)
Decision: Approved 09/07/2004

049085/FO/SOUTH1/95

Description: Change of use from office to a shop
Decision: Approved 22/01/1996

F/AD03675

Description: (A) Illuminated fascia sign on front elevation of Building Society Branch Office. (B) Illuminated double sided projecting sign on front elevation.
Decision: 06/05/1982

F16766

Description: Change of use from insurance brokers to solicitors office with agency for Building Society and alterations to shop front.

Decision: Approved 09/12/1981

F10527

Description: Change of use from Betting Shop to Insurance Brokers Office.

Decision: Approved 25/04/1979

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES

Consultations

Manchester City Council Highways Services

Manchester City Council Highways Service were consulted on this application and had no objections to the proposed development recommending conditions regarding waste management and construction.

Manchester City Council Environmental Health

Manchester City Council Environmental Health were consulted on this application and had no objections to the proposed development recommending conditions regarding residential noise insulation and waste management.

Manchester City Council Flood Risk Management

Manchester City Council Flood Risk Management were consulted on this application and had no objections to the proposed development.

Notifications

Local Residents

No representations received.

NEGOTIATIONS

Issues have arisen in the consultation phase which required negotiations in positive and proactive manner.

The proposed plans have elevational alterations which cannot be completed under Class MA prior approval.

Updated proposed development

Agent sent updated plans denoting no elevational changes between existing and proposed.

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES TO UPDATED DESCRIPTION OF DEVELOPMENT

Not required.

RELEVANT POLICIES & THE PRINCIPLE OF DEVELOPMENT

Relevant Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

In this case the proposal is a prior approval application with the following considered relevant.

- [The National Planning Policy Framework \(The NPPF\)](#) –
 - Section 2 - Achieving sustainable development

- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 12 – Achieving well-designed places
- [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#)
 - Schedule 2 – Permitted development rights
 - Part 3 – Change of use
 - Class MA - commercial, business and service uses to dwellinghouses
 - Paragraph W - Procedure for applications for prior approval under Part 3
 - Paragraph X - Interpretation of Part 3

Principle

The principle of the application is accepted in law. The local planning authority must assess the proposal against the conditions set out in the relevant section of the GPDO for prior approval. Namely, with respect of contamination, transport impacts, flooding, noise impact, natural light to habitable rooms and the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses. No significant issues have been raised with respect to these matters and therefore the proposal is considered acceptable.

ASSESSMENT

Flood Risk

No flooding risks have been identified.

Ground Contamination

No contamination risks have been identified. The previous use was office space.

Transport and Parking Issues

In comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such no highways concerns are expected.

The site is well accessed by sustainable modes. Regular bus services and railway services are available within walking distance of the site.

There is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street.

Noted that some parking does occur on the existing unadopted forecourt between the edge of the properties and the adopted highway.

Highways would not support parking here as it is noted that space is limited, and vehicles do partially park on the adopted footway which impinges on pedestrians. In line with MCC recommendations, secure and sheltered cycle parking provision should be made within the curtilage of the site. An appropriate condition is included.

Waste Management

Whilst it is assumed that on-road refuse servicing will take place (in alignment with existing operations), this has not been confirmed. Furthermore, details on bin storage have not been provided. A condition has been added for the application to provide details of waste management prior to commencement.

Noise

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 a condition has been attached for a scheme for acoustically insulating the proposed residential accommodation against noise from Mauldeth Road and Kingsway.

Natural Light to Habitable Rooms

All habitable rooms feature windows for natural light. ("habitable rooms" means any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms).

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.

CONCLUSION

The proposed conversion of the ground floor retail unit at 202 Mauldeth Road into a one-bedroom residential apartment has been assessed against the relevant criteria under Class MA of the General Permitted Development Order 2015. No significant concerns have been raised in relation to flood risk, contamination, transport, noise, or natural light. Subject to the recommended conditions regarding noise insulation, waste management, and construction practices, the development is considered acceptable. Prior approval is therefore granted.

CONDITIONS TO BE ATTACHED TO DECISION FOR PRIOR APPROVAL

1. Reason for approval

The City Council is satisfied that the development would have no significant, harmful impact as a result of contamination, flooding or noise. Satisfactory natural light is capable of being provided to all habitable rooms. The proposal therefore complies with the requirements of policies SP1, EN14, EN18, EN19 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester, pursuant to Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Approval is hereby granted in accordance with drawings referenced

- a. Drawing - Site Plan 08 May 2025 001 SITE PLAN
- b. Drawing - Existing 14 May 2025 002.1 GA PLANS AND ELEVATIONS
- c. Drawing - Proposed 14 May 2025 003.1 GA PLANS AND ELEVATIONS

received by the City Council as Local Planning Authority.

2. Noise Insulation

- a. Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Mauldeth Road and Kingsway 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 premises.
 - i. 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.
 - ii. 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):

1. 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)
2. Living Rooms (daytime - 07.00 - 23.00)	35 dB LAeq
3. Gardens and terraces (daytime)	55 dB LAeq
 - iii. 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 safeguard the amenity of existing and future residents, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies EN1, SP1, and DM1 of the Manchester Core Strategy.

3. Waste Management

- a. Before the development commences 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.
 - i. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.
 - ii. The Waste Management Strategy must include the following information:
 1. Estimated volumes and types of waste produced by the development;
 2. Details of internal and external stores for both waste and recycling, including any plans and designs;
 3. Location of the proposed collection point and details of the route the collection vehicle will take;
 4. Details of how waste will be transferred between stores and to the collection location; and
 5. Details of number and capacity of bins proposed and collection frequency.
 6. Other details as per 'Waste Proforma v1.0' - refer to guidance at: http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy
- b. 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.

Reason - In order to safeguard the amenity of existing and future residents, pursuant to policies EN1, SP1, and DM1 of the Manchester Core Strategy.

4. Cycle store

Notwithstanding details submitted, the apartments shall not be occupied until full details of the space and facilities for bicycle parking, including means of enclosure, have submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed cycling parking space and facilities shall be implemented as part of the development and retained thereafter.

Reason - Due to the lack of off road parking and 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 pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy.

APPENDIX 1 – LIST OF CONSULTEES & NEIGHBOURS NOTIFIED

Highway Services

Environmental Health

MCC Flood Risk Management

202A Mauldeth Road, Manchester, M19 1AJ

204 Mauldeth Road, Manchester, M19 1AJ

200 Mauldeth Road, Manchester, M19 1AJ

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