

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142501/P3MAP/2025

Date registered valid: 21 March 2025

Proposal: Prior approval for Change of Use from Doctors Surgery (Class E) to 5 residential apartments (Class C3).

Address: 125 Droylsden Road, Manchester, M40 1NT

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mohbeen

Agent (if any): Mr Sam Golding, Gold Sketch Studios Ltd

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 April 2025

Application details

Type of application: Prior approval- Class E-Dwell (Class MA)

Development type: Change of use

Date of site visit: 25 April 2025

Standard consultations:

Printed: 25 March 2025 Expired: 15 April 2025

Neighbour notifications

Printed: 25 March 2025 Expired: 15 April 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 application site relates to a vacant, two-storey, end terraced, double fronted, Victorian property, previously used as a doctor's surgery. The property includes a small, single storey outrigger to its western side and rear extensions. To the centre of the building is a large entrance door and canopy which is presently encased by a roller shutter.



View of application property from the opposite side of Droylsden Road

The property is enclosed by a combination of brick wall and metal railings and incorporates small yard areas to the front and rear. No-off parking is included within the curtilage of the property.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is predominantly residential in character, mainly comprising two storey, terraced dwellinghouses.

Diagonally opposite the site, to the other side of Droyslden Road is All Saint's C of E Primary School, beyond which is All Saint's Church, which is Grade II listed.

Immediately to the front of the school is a Zebra Crossing which zig zag road markings to prevent parking, which extend to outside part of the property frontage.

Description of development

Prior Approval is sought for the conversion of the existing building from a doctors' surgery (Class E) to 5 x 1-bedroom apartments.

The proposal comprises 3 apartments and an internal cycle store to the ground floor and 2 apartments to the first floor. No off-road parking is proposed as part of the application. A bin store is proposed within the front yard area.

The application is made pursuant to Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The change of use is considered permitted development, subject to consideration of certain planning issues referred to in the overarching legislation, as set out in the Issues section of this report.

Consultations & Notification Responses

Local Residents/Occupiers – 8 representations objecting to the proposal have been received from neighbouring residents. Comments are summarised below:

-The proposal would exacerbate on-street parking problems in the area. Parking is already limited along the frontage due to an nearby bus stop, Zebra crossing, road markings, street furniture and nearby primary school, church and dentist. The proposal would increase competition for spaces and jeopardise highway safety and prevent emergency access.

-The proposal would add to waste storage pressures in the area.

-The proposed conversion represents an overdevelopment. The density of the development does not align with the character of the surrounding area.

-Turning one commercial unit into five separate residences will increase noise levels due to more occupants, visitors, and movement at different hours.

-Five new flats will generate significantly more waste, and there may be insufficient space for bin storage, leading to overflowing bins and litter problems, as is the case with rear alleyway.

-The increase in vehicle numbers due to the additional residents will contribute to higher traffic emissions, reducing air quality in a residential area already affected by congestion

-A parking and traffic impact assessment is requested before considering approval of the application.

-The area should be preserved for family homes.

-The proposed rear entrance to one of the units would increase foot traffic through the ginnel. This raises additional security concerns.

Flood Risk Management – No objection.

Highway Services – The following principal comments are made:

Trip Generation

Given the scale of the development proposals and accessible location, it is anticipated that the proposals are unlikely to generate any network capacity concerns.

Site Accessibility

The site is located in an established residential area and is well accessed by bus with services running in close proximity of the site along Droylsden Road.

Parking

No car parking is proposed. As such, any resident/visitor vehicle parking demands would need to be accommodated on-street.

Cycle Parking

It requested that the level of cycle parking is at least 1no. cycle parking space per apartment and is sheltered and secure.

Waste Management

The proposed waste management arrangement is considered acceptable.

Environmental Health – Conditions are requested in relation to acoustic insulation, external equipment, waste management, electric vehicle charging and ground conditions (if necessary).

Flood Risk Management – No objection.

Planning History

071370/VO/2004/N1

City Council Development for the erection of 2.4m high gates to rear of 125 Droylsden Road and a 2.7m high gate to the rear of nos. 1 Wallis Street and 137 Droylsden Road. *Approved 26 May 2004.*

054933/FO/NORTH2/98

Single storey extension to rear of Group Practice to form two consulting rooms. *Approved 4 September 1998.*

Policy

The relevant policy is set out for consideration below.

- Policies SP1, EN3, EN14, EN18, EN19 and DM1 of the Manchester Core Strategy;
- Saved policies DC19.1 and DC26 of the Unitary Development Plan for the City of Manchester;
- Places for Everyone Joint Development Plan;
- National Planning Policy Framework;

Issues

Principle

Class MA of the Town and Country Planning (General Permitted Development) Order 2015 requires Local Planning Authorities to determine if prior approval is required in 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.

In this case, the proposal would make good use of a vacant building and add to the diversity of residential accommodation in the area.

Specific issues for consideration are outlined below.

Flood Risk

The site is situated within Flood Zone 1 – low risk of flooding. Flood Risk Management raise no issues in this regard.

Ground Contamination

No concerns have been raised within respect to land contamination. No breaking of ground is proposed as the proposal relates to a change of use.

Transport and Parking Issues

All of the objections received reference concerns regarding the impact of parking demands associated with the proposed apartments adding to an existing on-street parking problem. The existing situation is considered problematic due to neighbouring properties not including off road provision and due to the parking demands of the neighbouring primary school, church and a nearby expanded dental practice. The availability of parking space is further hampered by neighbouring zig zag road markings, a Zebra crossing, street furniture and trees.

Whilst these concerns are acknowledged, the Council must consider the fallback position.

The existing premises is authorised for use as a doctors' surgery which would generate more parking demand than 5 x 1-bedroom apartments. Due to the authorised use of the premises, the building could be legitimately occupied by a variety of alternative commercial uses within Use Class E, such as retail, offices, restaurant, day nursery or gym, amongst many uses permitted.

The Council's therefore maintains that whilst the lack of off-road parking is not ideal, parking demand or impact to the operation of the highway would be much greater if any of the permitted commercial uses were to occupy the host building. On this basis the impact is considered acceptable.

The proposal includes an internal cycle storage area to encourage travel by non-car modes and the site is situated within a highly accessible location with a neighbouring bus stop and proximity to high frequency bus routes along Oldham Road, a short distance to the northwest of the application property.

It is also considered that whilst car ownership associated with the application property cannot be precluded, occupants are less likely to own a car if it clear that no provision would be made for the parking of vehicles within the curtilage of the property.

Taking all these factors into account, it is considered that on balance, the impact to the highway is satisfactory.

Waste Management

The proposal shows a bin storage area within the front yard to be collected from the highway which aligns with the existing situation and considered acceptable by Highway Services. Environmental Health have requested further details regarding capacity and recycling arrangements. An appropriate condition has been included in this regard.

Noise

The impact of the proposal because of noise has been fully considered. Environmental Health consider that provided that the host building is acoustically insulated to safeguard against undue noise arising from Droylsden Road, such mitigation would protect future residents. A relevant condition is included.

Whilst concerns have been raised regarding noise and disturbance due to the introduction of 5 apartments, it is considered that given the likely modest level of occupation for a residential use within a residential area, any impact would be less than substantial. Further, given the authorised use of the building as a doctors's surgery which could also be used for many other commercial purposes within Use Class E, any noise and disturbance generated as a result of the proposal is likely to be far lesser than that of a commercial operation. On this basis, the impact is considered acceptable.

Natural Light to Habitable Rooms

All bedrooms and habitable areas would benefit from sufficiently sized windows which would afford satisfactory natural light. All apartments also accord with the Council's internal space standards, as set in the Council's Residential Quality Guidance document.

Whilst the bedrooms windows to the apartments facing the internal courtyard area (B and C) would face each other with limited separate distance, a condition has been included to ensure the lower half of each windowpane be obscurely glazed to prevent any potential overlooking or loss of privacy.

On this basis, the standard of accommodation is considered satisfactory.

Heritage Impact

The application site is situated a short distance from the Grade II listed building of All Saints' Church.

Under Section 66 of the LBCA Act, there is a statutory duty when considering whether to grant consent which affects the setting of a listed building, to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.

In this case, the application property does not encroach upon the building and does not include any external alterations. Therefore, the proposal preserves the setting of this building.

Other Matters

Whilst a concern has been raised regarding security and the rear access to one of the proposed apartments, this is not a matter that can be considered through the prior approval procedure.

Environmental Health have requested details of electric vehicle charging points. However, as the proposal does not include any off-road parking, this request is not considered relevant. In any event, consideration of EV charging is not a relevant consideration as part of the prior approval procedure.

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

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) 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 502, 003/1 and 004, received by the City Council as Local Planning Authority on 21 March 2025.

2) a) Notwithstanding details submitted, prior to the flats hereby approved being occupied, a scheme for acoustically insulating the proposed residential accommodation against noise from Droylsden Road shall be submitted to and approved in writing by the City Council as Local planning authority. The potential for overheating shall also be assessed and the noise insulation scheme should take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the approved flats are occupied.

b) Prior to first occupation of the residential units hereby approved, 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 report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - In order to safeguard the amenity of existing and future, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1 and DM1 of the Manchester Core Strategy.

3) a) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout conforms to the agreed scheme. Details of post completion testing to confirm that the noise criteria have been met should also be provided. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria

Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in preexisting background noise levels around the site, pursuant to saved policy DC26 of the Unitary Development Plan and policies DM1 and SP1 of the Manchester Core Strategy.

4) 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 in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

5) Before the apartments hereby approved are occupied, a more detailed 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.

Reason - In the interests of amenity and public health, pursuant to saved policy DC5 of the Unitary Development Plan for the City of Manchester, policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

6) Before first occupation of the apartments hereby approved, the lower part of the bedroom windows to apartments B and C facing the courtyard, as shown on drawing referenced 003/1, received by the City Council as Local Planning Authority on 21 March 2025, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale, or such other alternative equivalent, and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions from overlooking or perceived overlooking, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Manchester Cathedral

123 Droylsden Road, Manchester, M40 1NT
96 Droylsden Road, Manchester, M40 1WT
106 Droylsden Road, Manchester, M40 1WT
102 Droylsden Road, Manchester, M40 1WT
127 Droylsden Road, Manchester, M40 1NT
17 Wallis Street, Manchester, M40 1NU
121 Droylsden Road, Manchester, M40 1NT
129 Droylsden Road, Manchester, M40 1NT
19 Wallis Street, Manchester, M40 1NU
98 Droylsden Road, Manchester, M40 1WT
104 Droylsden Road, Manchester, M40 1WT
100 Droylsden Road, Manchester, M40 1WT
All Saints CE Primary, Culcheth Lane, Manchester, M40 1LS
Droylsden Road Dental Practice, 117 Droylsden Road, Manchester, M40 1NT
3 Petrock Walk, Manchester, M40 1HZ
1 Petrock Walk, Manchester, M40 1HZ
7 Petrock Walk, Manchester, M40 1HZ
5 Petrock Walk, Manchester, M40 1HZ
131 Droylsden Road, Manchester, M40 1NT
15 Wallis Street, Manchester, M40 1NU
13 Wallis Street, Manchester, M40 1NU

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Manchester Cathedral Ownership - Manchester Cathedral Newton Heath Manor
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA