

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 141361/FO/2024  
**Date registered valid:** 24 October 2024  
**Proposal:** Erection of part single part two storey rear extension.  
**Address:** 247 Charlestown Road, Manchester, M9 7BD  
**Ward(s):** Charlestown Ward

**Applicant:** Mr Manjit Sandher, Active Pharmacare Ltd  
**Agent (if any):** Mr Peter Hoole, PJH Architectural Services  
**Case officer:** Janet Lawless  
Tel: 0161 234 4535  
Email: [janet.lawless@manchester.gov.uk](mailto:janet.lawless@manchester.gov.uk)

**Recommendation:** Approve  
**Date of recommendation:** 12 March 2025

## **Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Other

**Date of site visit:** March 2025

### **Standard consultations:**

Printed: 6 November 2024 Expired: 27 November 2024

### **Neighbour notifications**

Printed: 6 November 2024 Expired: 27 November 2024

### **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 two storey, semi-detached building which occupies an end position in a block of four, with its gable fronting Charlestown Road. The property is presently in use as a pharmacy, occupied by Whitemoss Pharmacy Ltd. There is parking to the east of the site accessed via a single width road that runs along the side and rear of the commercial parade. The property has level access to the frontage and the footprint currently comprises of retail pharmacy area, consultation room, preparation area and WC to the ground floor and four storage rooms and a bathroom to the first floor.

The property includes a good sized yard area to the side and rear of the property., enclosed by a brick wall which will be accessed by a 1.8m high visi-rail sliding gate and a single storey rear extension which extends the full depth of the rear and backs onto a neighbouring footpath that separates the site from a sub-station and residential dwellinghouses beyond.

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

### **Description of area**

The building forms part of a small, commercial crescent of similar properties to the northern side of Charlestown Road which includes a laundrette, retail convenience store, beauty and tanning salons, barbers, off licence, post office and fish and chip shop. Central to the crescent is a small, communal parking area, enclosed by grass verges.

### **Description of development**

The proposal is for the erection of a part single part 2 storey rear extension which would provide additional commercial accommodation in the form of ground floor-retail pharmacy area, pharmacy preparation area, 2 consultation rooms and pharmacy storage, first floor- 3 storage rooms, bathroom and staff kitchen. The extension would be proposed in red brick with UPVC

windows. The parking and waste management will be retained, with hatched areas introduced to ensure access to the bin store areas is not impinged by vehicles parking there.

## **Consultations & Notification Responses**

Local residents / businesses were informed - no representations have been received.

## **Highways.**

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

An existing car parking area is in place on the eastern extent of the site with vehicular access from Charlestown Road. The current on-site parking offering is to be retained and as such, Highways have no concerns regarding vehicular build up on- street.

A bin store is noted at the eastern extent of the development site. A new gated access will be in place from the car park and hatched 'No Parking' lines in place. It is expected that bins will be stored within the gated bin store and collected from the adjacent car park or from the highway on waste collection days.

**Environmental Health-** No comments to make.

**CADENT-** no objections to the proposal but recommend an informative relating to proximity to pipelines be attached to any consent granted.

## **Issues**

### **Policy**

The following policy and guidance is considered relevant to the consideration of this application

-Saved policy DC26 of the UDP;

-Policies DM1, EC1, EN19 and SP1 of the Manchester Core Strategy;

National Planning Policy Framework (NPPF).

### **Places for everyone GM Spatial Plan**

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities have now adopted the Plan following consideration of the Inspectors' Report. There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is 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.

## **Issues**

### **Principle**

The building is currently in use as a pharmacy and situated within an established commercial parade.

The proposed location reflects a typical location for this type of business, and the expansion of the property is considered an appropriate development within a local neighbourhood parade which would add to its overall vitality and provide an effective continued use of the building with the business successfully operating from the current property. On this basis, the general principle of extending the property to create additional storage and consultation space for the current pharmacy use is considered acceptable and compliant with the above policy and guidance.

**Residential Amenity** - Given the position of the host building within an established commercial parade and due to the expansion being in association with the current use of the building as a pharmacy, together with the relationship of the building with the nearest residential occupiers, it is not anticipated that the proposed use would give rise to dissimilar or harmful levels of pedestrian/vehicular activity.

However, the overly large projection from the rear of the property along the common boundary with number 245 Charlestown Road was considered to have an overbearing impact upon the residential amenity that should reasonably be expected to be enjoyed by the occupants of that property. Negotiations have taken place with the applicant, and the extension to the first floor has been reduced considerably in both the projection from the rear of the property and in its set in off the common boundary with number 245 Charlestown Road. The roof to the first- floor extension is set well down from the original ridge and is considered to be subservient. This has now reduced the impacts, and it is not considered that the proposal now under consideration would have a detrimental impact upon their residential amenity.

**Visual Amenity**- The proposed extension cannot be readily seen from the public frontage of Charlestown Road, only being visible from the rear and from the parking area to the side of the property. The roof is set down considerably, and therefore from the property frontage there appears to be no difference in the existing and proposed building when viewed from within the street scene.

**Waste Management** -The waste storage would be located within the rear yard of the property and brought out to either the parking area or kerbside on collection day, this is considered acceptable by both Environmental Health and Highways colleagues, and hatched areas are included within the parking area to ensure that the waste area is accessible at all times. Given the nature of the proposed use, the capacity of waste storage and recycling arrangements are satisfactory.

**Parking**- The parking situation would remain unaffected and is considered acceptable. In addition to the parking at the rear of the property, there is also parking on street to the front of the commercial parade.

## **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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Revised plans were received reducing the amount of development resulting in an acceptable development. Appropriate conditions have been attached to any consent granted. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan and to policies SP1 and DM1 of the Core Strategy.

### **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:

202401838-P-108 Rev A proposed site plan dated 17.02.2025

2024-1838-P-104 Rev A Proposed side elevations dated 17.02.2025

2024-1838-P-103 Rev A proposed ground, first floor and roof plans dated 17.02.2025

Proposed flank, front and rear elevations dated 17.02.2025

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 development hereby approved shall be constructed using materials that match those in the existing property in terms of colour, size and texture including mortar and patching in. Any render used shall be of a colour through render.

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 Core Strategy.

4) Prior to above ground works commencing, details of the measures to be incorporated into the development to demonstrate how secure by design accreditation will be achieved shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

5) 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 extension 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.

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health

249A Charlestown Road, Manchester, M9 7BD  
249 Charlestown Road, Manchester, M9 7BD  
245A Charlestown Road, Manchester, M9 7BD  
2 Fossage Close, Manchester, M9 7GE  
4 Fossage Close, Manchester, M9 7GE  
Store Rear Of 251, Charlestown Road, Manchester, M9 7BD  
253 Charlestown Road, Manchester, M9 7BD  
19 Dantall Avenue, Manchester, M9 7BH  
13 Dantall Avenue, Manchester, M9 7BH  
Nisalocal, 241 - 243 Charlestown Road, Manchester, M9 7BD  
12 Fossage Close, Manchester, M9 7GE  
10 Fossage Close, Manchester, M9 7GE  
8 Fossage Close, Manchester, M9 7GE  
6 Fossage Close, Manchester, M9 7GE  
20 Dantall Avenue, Manchester, M9 7BH  
18 Dantall Avenue, Manchester, M9 7BH  
17 Dantall Avenue, Manchester, M9 7BH  
15 Dantall Avenue, Manchester, M9 7BH  
251A Charlestown Road, Manchester, M9 7BD  
251 Charlestown Road, Manchester, M9 7BD  
245 Charlestown Road, Manchester, M9 7BD

## **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

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface  
Historic Landfill Site 250m Buffer -  
Area Team Boundary - Name: NORTH AREA