MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141823/P3GPA/2024
Date registered valid:	31 December 2024
Proposal:	Prior Approval for conversion of the first and second floors to 1 x 3-bedroom duplex flat (Class C3).
Address:	631 Rochdale Road, Manchester, M9 5SH
Ward(s):	Harpurhey Ward
Applicant:	Mr Nicco DonBennito
Agent (if any):	Mr David Slater, Construction Industry
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	28 January 2025

Application details

Type of application: Prior Approval - Class E to mix inc C3

Development type: Notifications

Date of site visit: 16 January 2025

Standard consultations:
Printed: 2 January 2025 Expired: 23 January 2025

Neighbour notifications
Printed: 2 January 2025 Expired: 23 January 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 property relates to part of a former public house which has been sub-divided to create two hairdresser/barber businesses to the ground floor, with offices and storage areas above. The application site relates to the upper two floors above the existing barber shop.

View of application property from opposite side of Rochdale Road

The three-storey building occupies a prominent position close to the signalised junction of Rochdale Road and Queens Road. The rear of the building including a single storey outrigger and small rear yard area which backs onto a communal car park for the neighbouring residential development.

Immediately to the north and west, the site is bounded by a residential development of 68 units involving a mixture of three storey apartments fronting Rochdale Road and two storey dwellinghouses to the rear, accessed via a gated entrance to the rear off Reedshaw Road and served by the communal car park.

.

View of rear of property

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The site is located adjacent to the busy, main arterial of Rochdale Road, which links north Manchester to the city centre and beyond. The site is situated in an area which is mixed use in character and includes the education provided of Manchester Communication Academy to the opposite side of Rochdale Road, areas of informal open space and sporadic ground floor commercial uses. The wider area is predominantly residential in character.

Description of development

Prior Approval is sought for the conversion of vacant first and second floors to form a 1 x 3-bedroom duplex flat.

Access is to be achieved from the rear of the building via the rear yard off a communal car park associated with the neighbouring, gated residential development.

The application is made pursuant to Schedule 2, Part 3, Class G 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 below.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services - The trip generated by the proposed conversion is anticipated to be minimal and will have negligible impact on the highway network.

Upon review, it appears that there is an existing car park at the rear of the site serving the surrounding residential dwellings, which is accessed via a gated vehicular entrance from Reedshaw Road. Clarification is requested from the applicant to confirm whether any car parking spaces within the car park are currently allocated to the site

Secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit.
It is noted that existing refuse bins are stored within the rear yard area of the site. It would be useful if further information is provided on the refuse collection point and refuse servicing vehicle route.

Environmental Health

The submitted plans do not show a proposed external waste storage area for the residential flat. No waste proforma has been provided but the application form states "*Utilisation of existing Local authority waste bins already at property. Stored within enclosed rear yard area.*"

The existing ground floor barbers is a commercial use and therefore subject to a commercial waste contract. The proposed flat would be eligible for a Local Authority residential waste collection. Clarification is required that the residential waste would either be collected as part of a commercial waste contract, or that a separate secure residential storage area not accessible by the commercial use can be provided within the curtilage of the property.

Planning History

067134/FO/NORTH1/03

Change of use from shop (Class A1) to bus drivers rest room (sui generis). Alterations to shopfront. *Approved 19 June 2003.*

Issues

Principle

Class G 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, flooding, noise impact, natural light to habitable rooms and arrangement for the management and storage of domestic waste.

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 vacant, upper floorspace to add to the diversity of residential accommodation in the city within a sustainable location.

Specific issues for consideration are outlined below.

Flood Risk – The site is situated within Flood Zone 1 – low risk of flooding. In any event, as the proposal relates to the upper floors, flood risk is not therefore likely to be an issue.

Ground Contamination – No concerns have been raised within respect to land contamination. No breaking of ground is proposed as the proposal relates to the upper floors.

Details are requested in relation to waste management arrangements, as well as cycle storage, given the lack of off-road parking and the need to encourage travel by non-car modes. Appropriate conditions are included.

Noise

The site is located within a busy mixed-use area, adjacent to a main arterial route lining the city centre with north Manchester. Expected levels of amenity would therefore be lesser than in other locations.

A condition has been included which requires that the proposed flat be acoustically insulated in accordance with a scheme to be submitted and agreed, so to ensure prospective occupiers are protected from any undue noise impact associated with Rochdale Road and neighbouring commercial uses. Provided this adhered to, no harmful noise impact to prospective occupiers is envisaged.

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

Waste Management

There is sufficient space within the rear yard for the required number of waste receptacles. Collection arrangements would mirror that for the ground floor commercial unit with access to the rear car park.

Environmental Health seek clarification as to whether the residential waste would either be collected as part of a commercial waste contract, or whether a separate secure residential storage area not accessible by the commercial use can be provided within the curtilage of the property. An appropriate condition has been included which requires further details to be submitted and agreed.

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 polices 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

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 G of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Approval is hereby granted in accordance with Local Plan and proposed floor plan, received by the City Council as Local Planning Authority on 31 December 2024.

1) The apartment 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 the 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.

2) Notwithstanding details submitted, before the apartment is occupied, 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.

Reason - In the interests of amenity and public health and as each use requires segregated bin storage and provide details of collection arrangements, 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).

3) a) Notwithstanding details submitted, prior to the flat hereby approved being occupied, a scheme for acoustically insulating the proposed residential accommodation against noise from Rochdale Road and surrounding commercial uses, 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 unit, 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 5, 647 Rochdale Road, Manchester, M9 5SH
Flat 4, 647 Rochdale Road, Manchester, M9 5SH
Flat 3, 647 Rochdale Road, Manchester, M9 5SH
Flat 6, 647 Rochdale Road, Manchester, M9 5SH
Flat 2, 647 Rochdale Road, Manchester, M9 5SH
629 Rochdale Road, Manchester, M9 5SH
Flat 1, 647 Rochdale Road, Manchester, M9 5SH
389 Queens Road, Manchester, M9 5FF

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
Area Team Boundary - Name: NORTH AREA