MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | 141444/FO/2024 |
| **Date registered valid:** | 5 November 2024 |
| **Proposal:** | Erection of single storey side extension to provide additional retail and ancillary office floorspace |
| **Address:** | 1 Meldon Road, Manchester, M13 0TZ |
| **Ward(s):** | Rusholme Ward |
| **Applicant:** | Mr Mohammed Sharif |
| **Agent (if any):** | Mr DK Seddon, Howard & Seddon ARIBA |
| **Case officer:** | Ellie Knowles<br>Tel: 0161 219 6633<br>Email: ellie.knowles@manchester.gov.uk |
| **Recommendation:** | Approve |
| **Date of recommendation:** | **2nd April 2025** |

**Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Retail

**Standard consultations:**
Printed: 12 November 2024 Expired: 3 December 2024

**Neighbour notifications**
Printed: 12 November 2024 Expired: 3 December 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 property forms the end terraced premises in a commercial parade located at the junction of Meldon Road and Birchfields Road. The side elevation fronts on Birchfields Road, and the property has a deep open forecourt to the Meldon Road frontage.

Planning History
087870/FO/2008/N2- Erection of two storey rear extension to existing outrigger, new staircase to the first-floor rear extension and access ramps to doorways to front and side elevations in connection with use existing ground floor shop as office (Class A2) and first floor living accommodation.
1 Meldon Road
Approved 11.12.2008

118825/FO/2018- Erection of a single storey side extension to provide additional retail and ancillary office floorspace, class A1.
1 Meldon Road
Approved 13.06.2018

123187/FO/2019- Erection of single storey side extension to provide additional retail space (Class A1) with associated ancillary office floorspace.
1 Meldon Road
Refused - 04.06.2019. The extension the subject of this application would by reason of is excessive projection and design would form an over dominant and incongruous feature in the street scene to the detriment of the visual amenity of the area. The proposed development is therefore, contrary to the provisions of Core Strategy policy DM1.

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

**Description of area**
The area within which the property is located is predominantly residential. However, there is a short parade of commercial premises to both the north and south side of Meldon Road close to the junction with Birchfields Road.

**Description of development**
Consent is sought for the retention of a single storey flat roofed side extension to provide additional retail and ancillary office floorspace to an existing commercial business. The planning submission confirms the extension has been completed and is in situ. However, the development which has been erected at the site also includes a canopy which projects beyond the extent of the side extension. The unauthorised canopy structure is being actioned through enforcement processes.

**Consultations & Notification Responses**
Local residents and local business – No comments received.

Highway Services –
PARKING -Highways have concerns regarding the number and location of on-site parking spaces. On the Meldon Road elevation there is an area of maintained land which is to be used as car parking for 4 spaces. Highways have concerns that vehicles would have to cross the existing tactile paving which cannot be supported. It is also noted that these spaces are located directly adjacent to the junction which raises Highway safety concerns. There is an additional space proposed for the rear of the property, which can be accessed via Birchfield Road, where there is a traffic restriction in place of no waiting Mon-Sat 8am9.30am and Mon-Fri 4.30pm-6pm. The applicant should confirm access to this space is set at a minimum of 10m from the adjacent junction. The applicant should confirm that they have a formal written agreement to guarantee rights of access over any land which falls outside of the site's red line. All proposed parking spaces must comply with MCC minimum standards of 3m x 6m, with demarcation of all spaces.
BOUNDARY TREATMENTS -The applicant should be advised that all boundary treatments with frontage to the adopted highway should retain appropriate visibility from a height of 600mm upwards in order to protect sight lines. All gating which is accessed from the highway must be ensured to be inwardly opening, in order to prevent obstruction to passing footway users.
WASTE It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.
CONSTRUCTION MANAGEMENT - A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway.
The document should also consider ongoing construction works and contractor parking in the locality. It is recommended that the above is conditioned and attached to any planning permission that may be granted. The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via Email to: highwaylicences@manchester.gov.uk The applicant is required to discuss and agree any requirements for temporary traffic and pedestrian management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk

Environmental Health – Recommend conditions related to contaminated land, restriction of construction hours, acoustic insulation of any external plant, and refuse storage.

<u>Policy</u>

Manchester Core Strategy
The relevant Core Strategy policies are SP1, C8 and DM1.
Policy SP1 sets down the spatial principles that guide development in the City. This includes the creation of neighbourhoods of choice.
Policy C8 says that Local shopping and service provision in local centres should be retained where it remains viable and provides an important service to the local community. The provision of new small scale retail facilities will be encouraged where they would provide for local every day needs and would not be harmful to the vitality and diversity of nearby centres. Careful consideration will be given to the impacts of new commercial development on residential amenity.
Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

Saved UDP Polices
Saved UDP Policy DC26 advises that the Council intends to use the development management process to reduce the impact on people working and living in the city and will consider the effect of new development proposals that are likely to be generators of noise. Conditions will be used to control the impacts of developments.

The National Planning Policy Framework
The National Planning Policy Framework (NPPF) December 2024 and sets out the government's objectives for achieving sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development which ensures that sustainable development is pursued in a positive way. Development proposals that accord with an up-to-date Development Plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless:
- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or
- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Section 6- Building a strong competitive economy, paragraph 85 states that planning policies and decisions should help create the conditions in which business can invest, expand and adapt. Furthermore, that significant weight should be placed on the support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

**Issues**
Principle
The proposed development involves the extension of a retail store within a small local centre serving local needs. The principle of improving this local facility is considered to be acceptable.

Massing, Design and Siting
A previous application for a side extension which projected westwards for the extent of the canopy currently in situ (5.75m in width) was refused in 2019 due to the excessive projection and design forming an over dominant and incongruous feature in the street scene to the detriment of the visual amenity of the area.

The side extension which has been erected at the side of 1 Meldon Road is a single storey flat roof structure, 2.74m in width and 16.1m in length. It is set back from the front facade of the premises by 1m. The side extension has flat roof to reduce the overall mass of the structure and intrusion into the street scene. On balance, it is considered that the scale and design of the proposed extension is acceptable.

The unauthorised canopy structure extending westwards from the extension is being actioned through enforcement processes.

The Design and Access Statement accompanying the application references the addition of a landscaped hedge along the boundary with Birchfield Road, with a footpath to be installed between the building and the boundary wall. As this is not shown on the submitted layout it is recommended that this aspect for the scheme is conditioned.

Residential Amenity

It is considered that there would be no significant loss of privacy. The extension is sufficiently far from the boundary with the residential dwellings to the north for it not to have an overbearing impact. To the west the properties are separated by the width of the street and therefore it is considered that there would be no significant loss of privacy or overbearing impact. Although, an external plant condition has been suggested, no external plant has been indicated on the submitted plans, and on this basis it is not proposed to attach this condition to any approval.

Contaminated Land

The request for a contaminated land condition has been noted. However, in this instance the development is already in situ. In view that the site does not lie within 250m of a landfill site and that the proposal is not related to residential development, nor on what would be likely to be complex or challenging ground conditions, it is considered onerous to attach this condition.

Parking Arrangements

Highway Services have raised concerns in relation to the off-street parking arrangements, in particular the spaces accessed from Meldon Road close to the junction with Birchfields Road, where there is tactile paving, and which could therefore give rise to pedestrian safety issues. Concerns have also been raised in relation to the proposed spaces accessed from Birchfields Road and the proximity to the junction of Birchfields Road and Meldon Road. This space, however, is 23.56m from the junction and beyond the 10m which has been referenced. On the basis that there is a traffic restriction in place of no waiting Mon-Sat 8am-9.30am and Mon-Fri 4.30pm-6pm on Birchfields Road, this should enable visibility for vehicles reversing out of this space during peak traffic periods.

Given issues related to pedestrian safety it is prosed to attach a condition to any approval to require that within three months of any approval, that finalised details of any off-street parking at the site including location, and demarcation, are submitted and approved. This will enable the matters raised regarding safety to be fully addressed.

Boundary Treatment

The boundary treatment to the Birchfields Road frontage which comprises a low brick wall and piers is existing and would be retained.

Waste Management

It is acknowledged that the existing business will have bin storage arrangements, however, details of these have not been included in the submitted information. As such, it is proposed to attach a waste management condition to any approval to respond to the potential uplift in waste generation associated with the increase in floor area.

Construction Management

Comments received from consultees in respect of the need for a construction management plan and restriction of construction hours, however, as the single storey extension has been built and the matters in respect of the unauthorised canopy do not form part of this scheme, it is considered onerous to attach these conditions to any approval.

**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

**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 hereby approved shall be carried out in accordance with the following drawings and documents:
   - Location Plan ref: OS MAP rev.A;
   - Proposed floor plan ref: 15,761 02 rev.C (notwithstanding any off-street parking arrangements shown);
   - Proposed elevations plan ref: 15,761 03 rev.A

   Received 5th November 2024

   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 (2012).

2. Notwithstanding the off-street parking arrangements shown Proposed floor plan ref: 15,761 02 rev.C, within 3 months of the date of planning approval, finalised details of off-street parking arrangements (including location, size and demarcation) shall be submitted to and approved in writing by the City Council as local planning authority.

The off-street parking arrangements shall be implemented in accordance with the approved details, within 6 months of the scheme being approved.

Reason - To ensure that there is adequate car parking for the development, pursuant to Policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

3. a) Within 3 months of the date of planning approval finalised details of the hard and soft landscaping scheme between the single storey side extension hereby approved and the boundary wall to the back of pavement on Birchfields Road, shall be submitted to and approved in writing by the City Council as local planning authority.

   b)The approved landscaping scheme shall be implemented not later than 12 months from the date of the permission hereby approved. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective in the development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within the development.

   Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

4. a) Within 3 months of the date of planning approval finalised details of a scheme for the storage and disposal of refuse (including storage space for segregated waste collection and recycling, and internal and external storage areas) shall be submitted to and approved in writing by the City Council as local planning authority.

   b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use is in operation.

   Reason - In the interests of amenity and public health, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

5. Notwithstanding the information related to materials within the Design and Access Statement, or the materials set out in on the planning application form, and on Proposed elevations plan ref: 15,761 03 rev.A, within 3 months of the date of planning approval finalised details of the materials to be used in the development shall be submitted to and approved in writing by the City Council as local planning authority.

   The development shall be implemented in accordance with the approved 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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

Highway Services
Environmental Health

1A Meldon Road, Manchester, M13 0TZ
2 Meldon Road, Manchester, M13 0TZ
3 Meldon Road, Manchester, M13 0TZ
14 Birchfields Road, Manchester, M13 0XR
8 Birchfields Road, Manchester, M13 0XR
6 Birchfields Road, Manchester, M13 0XR
2A Meldon Road, Manchester, M13 0TZ
4 Meldon Road, Manchester, M13 0TZ
4 Birchfields Road, Manchester, M13 0XR
10 Birchfields Road, Manchester, M13 0XR
77 Birchfields Road, Manchester, M13 0XX
12 Birchfields Road, Manchester, M13 0XR

**Appendix 2 – Planning constraints**

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