

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141228/JO/2024

Date registered valid: 5 November 2024

Proposal: Variation of condition 2 (materials) and 3 (specified plans) attached to planning permission referenced 140322/JO/2024 to allow changes to external material specification

Address: 577-579 Wilbraham Road, Manchester, M21 9AF

Ward(s):

Applicant: Ahuja

Agent (if any): Mr Josh Greenfield, Just-H Architects

Case officer: Steven McCoombe
Tel: 0161 234 4607
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Recommendation: Approve

Date of recommendation: 4 December 2024

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit: 29 October 2024

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 application site relates to a prominent 3 storey building with pitched roof, situated adjacent to a traffic- controlled junction at Wilbraham Road/Barlow Moor Road. The building was until recently encased with a rough white render with blue painted cills/parapet and has been subject to a number of insensitive alterations.

The former vacant bank is now a development site associated with the host permission to which the current minor amendment application relates. The rear extension recently approved is substantially complete.

The Wilbraham Road frontage incorporates a series of steps and a ramped access. A new cycle lane as part of wider highway improvement works has recently been constructed immediately adjacent to the building, along with an existing pedestrian crossing.

To the Barlow Moor Road frontage, the building is partially enclosed by a low brick wall and shrubbery. A shared vehicular access serves a small, ad hoc parking area and bin storage area/yard.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site lies adjacent to a busy junction known locally as 4 banks corners. The applicant in their submission refer to its earlier name of Kemps Corners.

The site lies within Chorlton district centre – a large, busy neighbourhood centre containing a wide variety of small-scale retail, food and drink and other commercial uses.

Description of development

Variation of condition 2 (materials) and 3 (specified plans) attached to planning permission referenced 140322/JO/2024 which allowed for the erection of a three-storey rear extension and elevational alterations to the Barlow Moor Road and Wilbraham Road frontages, in connection with the creation of two retail units (Class E) on the ground floor with six self-contained flats above (Class C3).

In this case, elevational changes are proposed to the existing building. Namely, changes to the previously agreed external material specification to the front facade of the existing building.

It was originally proposed to remove the render to expose the original brickwork. However, following tests to remove the external render and existing fascia panels, it has been revealed that the condition of the brickwork is poor and there is a patchwork of brick types, both imperial and metric, and behind the existing HSBC fascia, the brick is non-existent. Therefore, the existing proposal would detract from the buildings structural and aesthetic quality with poor exposed patchwork brick.

It is now proposed to replace the existing render finish at levels 1 and 2 with a new high-quality render, and retain the brick finish (brick slip), at ground floor level. The use of brick slips at higher level is not possible, due to the substantial substrate build-up that this would require.

The proposed grey render and brick slip specification has been viewed and agreed on site and through the submission of samples.

Consultations & Notification Responses

Local Residents/Occupiers – No representations have been received.

Relevant Planning History

140322/JO/2024

Variation of condition number 3 (specified plans) attached to planning permission referenced 137425/FO/2023 to allow amendments to the layout and elevational alterations including: reduction in rear extension; removal of access ramp and removal of first floor bay window. *Approved 28 August 2024.*

137425/FO/2023

Erection of a three-storey rear extension and elevational alterations to the Barlow Moor Road and Wilbraham Road frontages, in connection with the creation of two retail units (Class E) on the ground floor with six self-contained flats above (Class C3). *Approved 20 September 2023.*

130112/FO/2021

Elevational alterations in association with the conversion of the property to form 2no. commercial units. *Approved 6 July 2021.*

048786/FO/SOUTH2/95

Construction of a disabled person's access ramp. *Approved 8 December 1995.*

046189/FO/SOUTH2/94

Elevational alterations including new glass entrance door. *Approved 26 September 1994.*

F07550

Elevational alterations to the ground floor of 577 Wilbraham Road and extension to existing bank premises at 579 Wilbraham Road. Approved 9 November 1977.

F06602

Change of use of 577 Wilbraham Road from shop and living accommodation to banking premises and alterations to existing bank 579 Wilbraham Road to form extension. *Refused 5 October 1977.*

F03303 (No.577)

Use of ground floor of house and shop for banking purposes. *Approved 19 September 1975.*

F00425 (No.577)

Internal alterations at 1st and 2nd floor levels of house and hot food shop, to form 2 self-contained flats. *Approved 13 September 1974.*

Policy

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

- Policies DM1, SP1, T2, EC1-3, EC9, H1, H6, C1, C2, C6, EN4, EN6, EN14, EN16-19;
- Saved policies E3.3 and DC26 of the UDP;
- Places for Everyone Joint Development Plan;
- National Planning Policy Framework (NPPF)
- Guide to Development in Manchester (SPD)

Issues

Principle

The principle of the proposal has been established by the host permission to which this permission relates.

The minor changes in this case relates to elevational changes. Namely, the external materials specification to the existing building element.

It is believed that on balance, whilst there would be a visual change to the original design intent, the justification provided for the change is accepted.

The visual change is considered less than significant and would result in no material harm to the overall scale, appearance or function of the proposed development, environmental impact or residential amenity.

The proposed alterations would still serve to upgrade the appearance and function of a building on a prominent district centre junction.

The conclusions of originally submitted technical assessments approved as part of the host permission would be the same. The proposed amendments would therefore comply with all relevant policy and guidance.

On this basis, the proposed amendments are considered minor and acceptable, according with overarching development plan policy and guidance.

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 to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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

- 1) The development must be begun not later than 20 September 2026.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall only be implemented in accordance with the external materials agreed as part of condition discharge application referenced CDN/24/0235, supplemented by the materials detailed within the submitted external materials schedule, received by the City Council as Local Planning Authority on 14 November 2024. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

VP01-C-AL1.01 - Proposed Ground Floor Plan;
VP01-C-AL1.02 - Proposed First Floor Plan;
VP01-C-AL1.03 - Proposed Second Floor Plan;
VP01-C-AV1.02 - Proposed Elevation B;
VP01-C-AV1.04 - Proposed Elevation D and E;
VP01-C-AX.01 - Proposed Section A-A;
VP01-C-AX.02 - Proposed Section B-B and D-D;
VP01-C-AX.04 - Proposed Section E-E and F-F;
VP01-C-AL1.04 - Proposed Roof Plan;

Received by the City Council as Local Planning Authority on 19 June 2024.

VP01-C-AV1.01 - REV J;
VP01-C-AV1.02 - REV I.

Received by the City Council as Local Planning Authority on 14 October 2024.

AP.01- Location Plan.

Received by the City Council as Local Planning Authority on 5 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.

4) The development hereby approved shall only be implemented in accordance with the Construction Management Plan (Rev C), received by the City Council as Local Planning Authority on 3 May 2024, as agreed as part of condition discharge application referenced CDN/24/0235.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) a) The development hereby approved shall only be implemented in accordance with the Ventilation Strategy prepared by QED (Ref: JV/Rep03/22-1033), together with the submitted floorplans showing the position of the Air Intake' locations for the MVHR, received by the City Council as Local Planning Authority on 26 March 2024 and 1 May 2024 respectively, as agreed as part of condition discharge application referenced CDN/24/0235.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as Local Planning Authority and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy.

6) Notwithstanding details submitted, the development hereby approved shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been 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. No bins shall be stored outside the curtilage of the site at any time.

Reason - Details are required in relation to pulpal waste and in the interests of public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

7) The development hereby approved shall not include any external plant equipment, as agreed as part of condition discharge application referenced CDN/24/0235.

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

8) a) The development hereby approved shall only be implemented in accordance with the agreed noise abatement details, as agreed as part of condition discharge application referenced CDN/24/0235:

- Drawing referenced VP01-C-AD4.01 (upper floor details), received by the City Council as Local Planning Authority on 21 May 2024

- Acoustic Solution document prepared by Vent Axia, received by the City Council as Local Planning Authority on 21 May 2024

- Acoustic thermal insulation specification prepared by DEC, received by the City Council as Local Planning Authority on 21 May 2024

- E-mail from JH Architects dated 21 May 2024.

- Noise Assessment Report (Ref: RSA447/2023), prepared by RS Acoustic Engineering, received by the City Council as Local Planning Authority on 1 May 2024;

- Overheating Assessment (Rev 01) prepared by Compliant EPC Ltd, received by the City Council as Local Planning Authority on 26 March 2024.

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 report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - 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, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

9) The retail units (Class E) hereby approved shall not be open outside the following hours:-

07:00 to 22.00 hrs daily.

Reason - To safeguard residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

10) Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours:

07.30 to 20.00 hrs Monday to Saturday;

No deliveries/waste collections on Sundays and Bank Holidays.

Reason - To safeguard the amenities of nearby occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

11) Notwithstanding details submitted, none of the residential units hereby approved shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as Local Planning authority. The bicycle parking shall be secure and weatherproofed and shall then be retained and permanently reserved for bicycle parking.

Reason - 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.

12) Notwithstanding details submitted, prior to the first occupation of the retail units (Class E) hereby approved, a Servicing Strategy shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The strategy shall include details of the servicing location, the number and frequency of deliveries/collections, vehicle sizes, delivery times, noise management, access and safety arrangements. The agreed Strategy shall be implemented as part of the development and remain in use so long as the approved units are operational.

Reason - To mitigate harm to the operation of the highway and the amenity of noise sensitive occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

13) Prior to the first use of the development hereby approved, a scheme of highway works for the reinstatement/repaving of the public footway adjoining the site along Wilbraham Road and Barlow Moor Road, along with any necessary tactile paving to vehicle crossovers, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

Footway improvement/replacement of materials and reinstatement works around the perimeter of the application site including any necessary public realm works;

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - in the interests of amenity and highways safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework.

14) Prior to the first use of the development hereby approved, details of a soft landscaping treatment scheme for the site boundary shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 6 months from the date the development first comes into use and shall thereafter be maintained and retained.

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 Core Strategy.

15) The extension hereby approved shall not be occupied until details of the security measures to be incorporated into the development have been 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 which shall be retained thereafter.

Reason - To reduce the risk of crime, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

16) The development hereby approved shall only be implemented in accordance with the details contained within the agreed Environmental Standards Statement, as agreed as part of condition discharge application referenced CDN/24/0235. The agreed measures shall be implemented in the construction of the approved development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of Manchester's Core Strategy and the National Planning Policy Framework.

17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) the residential accommodation hereby approved shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

18) The residential accommodation hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as short-term lets, serviced apartments/apart hotels, do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for

people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Chorlton Voice

573 - 575 Wilbraham Road, Manchester, M21 9AB
571 Wilbraham Road, Manchester, M21 0AE
456A Wilbraham Road, Manchester, M21 0AG
438 Barlow Moor Road, Manchester, M21 0NW
Flat Rear Of, 428 Barlow Moor Road, Manchester, M21 8AD
First Floor, 436 Barlow Moor Road, Manchester, M21 0AB
Flat 6, 460 Wilbraham Road, Manchester, M21 0AG
Flat 5, 460 Wilbraham Road, Manchester, M21 0AG
Flat 4, 460 Wilbraham Road, Manchester, M21 0AG
Flat 3, 460 Wilbraham Road, Manchester, M21 0AG
Flat 2, 460 Wilbraham Road, Manchester, M21 0AG
Flat 1, 460 Wilbraham Road, Manchester, M21 0AG
460A Wilbraham Road, Manchester, M21 0AG
585A Wilbraham Road, Manchester, M21 9AF
430A Barlow Moor Road, Manchester, M21 8AD
Flat 1, 432 Barlow Moor Road, Manchester, M21 8AD
581A Wilbraham Road, Manchester, M21 9AF
430 Barlow Moor Road, Manchester, M21 8AD
436A Barlow Moor Road, Manchester, M21 0AB
464B Wilbraham Road, Manchester, M21 9AS
464A Wilbraham Road, Manchester, M21 9AS
464 Wilbraham Road, Manchester, M21 9AS
585B Wilbraham Road, Manchester, M21 9AF
577B Wilbraham Road, Manchester, M21 9AF
Flat 2, 432 Barlow Moor Road, Manchester, M21 8AD
Max Spielmann, Basement And Ground Floor, 436 Barlow Moor Road, Manchester, M21 0AB
434 Barlow Moor Road, Manchester, M21 0AB
432 Barlow Moor Road, Manchester, M21 8AD
428 Barlow Moor Road, Manchester, M21 8AD
583 Barlow Moor Road, Manchester, M21 8AE
579 - 581 Barlow Moor Road, Manchester, M21 8AE
Lewis Bookmakers, 581 - 585 Wilbraham Road, Manchester, M21 9AF
577A Wilbraham Road, Manchester, M21 9AF
458 Wilbraham Road, Manchester, M21 0AG
456 Wilbraham Road, Manchester, M21 0AG
Naz Barber Shop, 569 Wilbraham Road, Manchester, M21 0AE
2 Silverwood Avenue, Manchester, M21 8BN
69 Claridge Road, Manchester, M21 9WQ
5-7, Stockport Road, Denton, M346db

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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA