



MANCHESTER
CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141062/FO/2024

Date registered valid: 30 September 2024

Proposal: Change of use of ground floor from C3 residential use to E(a) Retail sale of goods, other than hot food together with the installation of access door to the front; and formation of C3 residential apartment at first floor together with associated bin store

Address: 86 Dickenson Road, Manchester, M14 5HF

Ward(s): Rusholme Ward

Applicant: Mr Hassan Saleh

Agent (if any): Mohammed Nasar Ishfaq, JAAN Architects Ltd

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 19/11/2024

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 09/10/2024

Standard consultations:

Printed: 4 October 2024 Expired: 25 October 2024

Neighbour notifications

Printed: 4 October 2024 Expired: 25 October 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 proposal relates to a two storey Class C3 end terrace dwellinghouse on the corner of Dickenson Road and Wallace Avenue. The property features a full height bay window feature to the front. The property features a two-storey rear extension and rear yard with no off-street parking.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



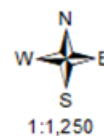
Figure 1. Street scene

Description of area

The property is located in a mostly residential part of the Rusholme ward of Manchester. There is a small corner shop opposite which has a historic use and sporadic retail frontages along Dickenson Road as it meets with the Rusholme District Centre located 200m away on Wilmslow Road.



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Description of development

The applicant is proposing the Change of use of ground floor from C3 residential use to E(a) Retail sale of goods, other than hot food, together with the installation of access door to the front; and formation of C3 residential apartment at first floor together with associated bin store.

Ground floor E(a) unit

The proposed retail unit features a shopfloor, store and welfare facilities along with a separate ground floor access to the newly created first floor flat. The new shopfront would maintain the general bay window, replacing the centre window with a new door and maintaining the existing main door as the access for the first floor flat.

First floor C3 residential flat

The proposed first floor flat would be a 1-bedroom dwelling with separate living, kitchen and bathroom. Access is through the existing main door and up an internal separated stair well. The total floor space is 56.5m².



Figure 2. Proposed plans and elevations

Planning History

088129/FO/2008/S1

Description: Erection of a 2-storey detached dwelling in rear yards of existing properties with access from Wallace Avenue

Decision: Refused 30/12/2008

ENF/07402/07

Description: Enforcement Enquiry - Display of advertisements to Wallace Avenue elevation

Decision: Not expedient to take action, closed 23/05/2011

Consultation, notification & publicity responses

Consultations

Manchester City Council Highways Services

Manchester City Council Highways Service were consulted on this application. They had no objections to the proposed development however they had queries regarding deliveries/servicing hours for the new Class E unit.

Manchester City Council Environmental Health

Manchester City Council Environmental Health were consulted on this application and have no objections to the proposal pending a number of conditions for discharge be attached if approved.

Notifications

Local Residents

As stated in Appendix 1, people who live near the area were told about the proposal.

No one commented, objected, or gave their opinion on this application.

Relevant policies & the principle of development

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

After careful consideration, it is concluded that the proposal is unacceptable and opposes the following local, regional and national policies.

- [The Manchester Core Strategy Development Plan Document 2012-2027](#)
 - Development Management and Planning Obligations
 - DM 1 - Development Management
 - Objective 1 - Spatial Principles
 - SP 1 - Spatial Principles (Partially replaced by PfE Policy JP-S 1)
 - Objective 2 - Economy and the City Centre
 - EC 1 - Employment and Economic Growth in Manchester
 - EC 8 – Central Manchester

- Objective 3 - Housing
 - H 1 – Overall Housing Provision (Partially replaced by PfE Policy JP-H 1)
 - H 5 – Central Manchester
- Objective 6 Environment
 - EN 1 - Design Principles and Strategic Character Areas
 - EN 16 - Air Quality (partially replaced by PfE Policy JP-S 5)
 - EN 19 – Waste
- [Extant Unitary Development Plan \(UDP\)](#) –
 - Citywide Development Control Policies
 - DC5 - Flat conversions
 - DC14 - Shop fronts and related signs
 - DC26 - Development and Noise
- [Places for Everyone Plan Joint Development Plan Document 2022-2039-](#)
 - Strategy
 - JP-Strat5: Inner Areas
 - Sustainable and Resilient Places
 - JP-S1: Sustainable Development
 - JP-S5: Clean Air
 - JP-S6: Resource Efficiency
 - Places for Jobs
 - JP-J1: Supporting Long-Term Economic Growth
 - JP-J2: Employment Sites and Premises
 - Places for People
 - JP-P1 Sustainable Places
- [The National Planning Policy Framework \(The NPPF\)](#) –
 - Section 2 - Achieving sustainable development
 - Section 4 – Decision-making
 - Section 6 – Building a strong, competitive economy
 - Section 12 – Achieving well-designed places

The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

Development Management and Planning Obligations

DM 1 – Development Management

New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

Appropriate siting, layout, scale, form, massing, materials, and detail

The proposed conversion would remove a good size 3no bedroom single family dwellinghouse from the location and replace with a commercial unit and a 1no bed first floor flat.

There is a clear focus by the City Council to maintain good sized family dwellings within the housing mix and especially in areas where the housing mix is already unbalanced towards flat and HMO

conversions. By removing the dwellinghouse the proposal would be counter to this strategy and harm the local housing mix.

Looking at the local street scene, with a number of empty commercial properties closer to the Rusholme District centre there doesn't appear to be a need for new commercial premises at the location. Furthermore, the local community is already service by the off-licence opposite. The applicant has confirmed that they are the current occupier of the off-licence opposite and intend to move across to the new conversion however the conversion would still create a new unit and potentially leave an existing unit empty.

The benefit of a new commercial unit at the location does not outweigh the harm caused by the loss of a family dwelling.

Officers consider the new development to be unacceptable in its siting, layout, scale, form, massing, materials, and detail.

Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.

As noted above the proposal would contribute to the loss of a 3-bedroom family dwelling at the location.

The local area is mostly residential in nature with some ground floor commercial units closer to Rusholme District Centre. The district centre has been designated as such to ensure that commercial and retail activity is managed and focussed within the area and to provide a central location for this kind of activity. The proposal would contribute to the expansion and further sprawl of the district centre counter to the council policy and to the harm of local residents.

In general, the proposed development has a harmful impact on the surrounding areas.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

The main amenity concern would be the extra comings and goings generated by the subdivision and new use and its proximity to local residential.

The conversion would create a busy commercial premises close to residential properties where there would be an expectation of low-level comings and goings appropriate to a residential area. The applicant has proposed opening hours of 0900-2200 daily (including Sundays and Bank Holidays) which would increase both foot and vehicle traffic to the property in unsociable hours to a level unacceptable for the direct neighbouring residences. The late-night opening hours on Weekends and Holidays would be especially detrimental to the residential quietude expected by neighbours.

It is noted that a similar corner shop off licence is present opposite however this is historic (with property history of a shop at the location since at least 1976) and therefore the activity associated is part of the baseline of the area and is an expected feature of current and future residents.

Barring the added comings and goings of the proposal it would be likely that equipment and breakout noise, and waste concerns could be managed through condition (as is usual for this kind of development). It would be onerous, therefore, to refuse the proposal based on these issues.

Given that the proposed development is resultant in one residential apartment and one retail unit, the number of vehicular trips associated with the site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.

On balance the proposal has a harmful effect on local residential amenity (comings and goings) and opposes this development management principle.

Community safety and crime prevention.

The proposal creates a new commercial unit which would need to comply with secure by design standards if approved. The applicant has not provided any details on shutters, CCTV, or any other security measures however this could be managed through condition (as is usual for this kind of development). It would be onerous, therefore, to refuse the proposal based on these issues.

Adequacy of internal accommodation and external amenity space.

By subdividing the property there would be a loss of a good-sized family dwelling house and private rear yard. The proposed flat would lack private external amenity space.

The proposal is therefore counter to this development management principle.

Refuse storage and collection.

The applicant has provided details on waste management procedure and denoted the bin store areas on the submitted plans.

Waste management could be managed through condition (as is usual for this kind of development). It would be onerous, therefore, to refuse the proposal based on these issues.

Vehicular access and car parking

Pedestrian access to the residential apartment will be provided from the existing entrance at Dickenson Road. A separate new retail access is to be provided from Dickenson Road.

It is noted that there is no on-site car parking associated with the development. As such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street.

The higher levels of coming and goings would result in a greater requirement for parking in the area exacerbating the existing parking concerns in the area.

The proposal is therefore in opposition with this development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

The applicant and consultees did not find any contamination or stability issues at the site.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

The proposal is exempt from biodiversity net gain qualifying for the de minimis exemption.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private

The proposal has no effect on local green space.

The proposal is therefore in accordance with this development management principle.

Flood risk and drainage.

The site is not located in a flood risk area and therefore does not require a flood statement or assessment.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

Objective 1 - Spatial Principles

SP 1 - Spatial Principles

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should ‘make a positive contribution to neighbourhoods of choice’.

In Policy SP 1, One of the key regards development proposals should make is:

Ensuring design makes the best possible use of a site or building in terms of efficient use of space, enhancing the sense of place of the wider area and minimising detrimental impacts on adjacent uses, considers the needs of users/employees of a site/building for access via walking, cycling and public transport and reduction of opportunities for crime by applying current best practice in security design.

In this regard the subdivision would not enhance the sense of place of the wider area by removing good quality family housing.

We consider this proposal to oppose with the principles of this policy.

Objective 2 - Economy and the City Centre

EC 1 - Employment and Economic Growth in Manchester

This policy outlines the overall strategy for employment and economic growth in Manchester.

The Council will seek to retain and enhance existing employment space and sites.

Alternative uses will only be supported on sites allocated accordingly, or if it can be demonstrated that:

- *The existing use is un-viable in terms of business operations, building age and format.*

- *The existing use is incompatible with adjacent uses.*
- *The existing use is unsuitable for employment having had regard to the Manchester-Salford - Trafford SFRA; or*
- *On balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.*

On balance, the existing use is thought to offer greater benefits to the Core Strategy's vision and spatial objective (See SP 1) and the applicant has not demonstrated otherwise.

We consider this proposal to oppose with the principles of this policy.

EC 8 – Central Manchester

This policy outlines the principles for employment opportunities in Central Manchester including the Corridor (Manchester) within the Central Manchester Regeneration Area.

The majority of new employment space will be located within District centres of Hulme, Rusholme and Longsight all located on major radial routes through Central Manchester. These will be suitable for mixed use development providing local employment.

In this case the proposal is not within the District Centre and although it is noted that some new employment development will be made outside these areas, in this locale there are existing empty retail properties which shows there is already existing employment space to be utilised without new conversions.

We consider this proposal to oppose with the principles of this policy.

Objective 3 - Housing

H 1 – Overall Housing Provision

This policy explains how housing will be provided in Manchester and sets targets for development. The goal is to increase high-quality housing in sustainable locations. This will address demographic needs and help economic growth.

The need to diversify housing stock in mono-tenure areas by increasing the availability of family housing, including for larger families; and the availability of other tenures to meet the identified needs of people wishing to move to or within Manchester; and preserving and improving the quality of the existing housing stock; and the management of areas where Houses in Multiple Occupation predominate.

This proposal would remove a good size (3 bedroom) family dwelling, failing to preserve the existing housing stock in an area predominate with HMOs.

We consider this proposal to oppose with the principles of this policy.

H 5 – Central Manchester

This policy outlines the strategy for housing provision in Central Manchester.

Priority will be given to family housing and other high value, high quality development where this can be sustained.

This proposal would remove a good size (3 bedroom) family dwelling, failing to sustain and prioritise the existing housing stock in an area predominate with HMOs.

We consider this proposal to accord with the principles of this policy.

Objective 6 Environment

EN 1 – Design Principles and Strategic Character Areas

This policy outlines the key design principles for development in Manchester. All development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the ‘Southern Character Area’.

New development needs to retain the identity and focus of activity associated with the historic District Centres.

In this case the proposal is not within the District Centre and although it is noted that some new employment development will be made outside these areas, in this locale the predominance is for residential dwellings.

We consider this proposal to oppose with the principles of this policy.

EN 16 – Air Quality

This policy sets out the key principles of air quality management in the city. The policy seeks to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester’s principal traffic routes and at Manchester Airport.

We consider this proposal to accord with the principles of this policy.

EN 19 – Waste

This policy sets out the key principle of waste management in the city. In a district such as Manchester with a significant existing population and a vision for a growing economy and population a key issue is that of ensuring that this does not automatically lead to a proportionate increase in waste arisings.

We consider this proposal to accord with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

Citywide Development Control Policies

DC5 – Flat Conversions

This policy outlines the key issues for planning applications to convert property to flats.

The Council will normally refuse permission for any developments in this category which: a. do not provide accommodation to the Council's current approved standards; b. are in tightly-packed

residential streets where there is no scope for off-street car parking and where there is already an acknowledged problem of on-street congestion; c. involve conversion schemes without adequate private external amenity space; d. are schemes without satisfactory refuse storage and collection facilities.

The proposed subdivision would remove external amenity space to the detriment of the occupiers and counter to this policy.

DC14 - Shop Fronts and Related Signs

This policy outlines the key issues when considering development of shop fronts and related signage.

We consider this proposal to accord with the principles of this policy.

DC26 - Development and Noise

This policy outlines the key issues to reduce the impact of noise on people living and working in, or visiting, the City.

We consider this proposal to accord with the principles of this policy.

Places for Everyone Plan (2022 – 2039)

We have assessed the proposal against the following policies of the Places for Everyone Plan.

Strategy

JP-Strat5: Inner Areas

This policy outlines the spatial strategy for the Inner Areas of the City Region which includes the urban fringe around the City Centre.

We consider this proposal to oppose with the principles of this policy.

Sustainable and Resilient Places

JP-S5: Clean Air

This policy outlines a comprehensive range of measures will be taken to support improvements in air quality, focusing particularly on locations where people live, where children learn and play, where there are impacts on the green infrastructure network and where air quality targets are not being met.

We consider this proposal to accord with the principles of this policy.

JP-S6: Resource Efficiency

This policy outlines the measures to meet Greater Manchester's ambition of becoming a leading green city region by 2038.

We consider this proposal to accord with the principles of this policy.

Places for Jobs

JP-J1: Supporting Long-Term Economic Growth

The policy outlines the ambition to have a thriving, inclusive and productive economy in all our boroughs.

We consider this proposal to oppose with the principles of this policy.

JP-J2: Employment Sites and Premises

This policy outlines the strategy for a diverse range of employment sites and accessible premises, both new and second-hand, to offer opportunities for all kinds and sizes of businesses.

We consider this proposal to oppose with the principles of this policy.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- [Guide to Development in Manchester Supplementary Planning Document and Planning Guidance \(April 2007\)](#)
- [Manchester Residential Quality Guide \(July 2016\) \(MRQG\)](#)
- [Manchester, Salford, and Trafford Strategic Flood Risk Assessment](#)
- [Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems](#)
- [Manchester City Council Planning and Noise Technical Guidance \(2022\)](#)
- [Air Quality & Planning Technical Guidance \(2022\)](#)
- [Planning and Contaminated Land Technical Guidance \(2021\)](#)
- [Greater Manchester Joint Waste Development Plan Document \(GMJWDPD\)](#)
- [Waste Storage and Collection Guidance for New Developments \(2017\)](#)
- [Hot Food Takeaway Supplementary Planning Document \(2017\)](#)
- [Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards \(2020\)](#)
- [Manchester Tree and Woodland Action Plan 2024-2034](#)
- [Manual for Streets \(2007\)](#)
- [National design guide & National Model Design Code \(2021\)](#)
- [Outdoor advertisements and signs: a guide for advertisers \(2007\)](#)

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.

Conclusion

The proposal to change the use of the ground floor at 86 Dickenson Road from residential to retail, along with the creation of a first-floor apartment, has been carefully reviewed. Despite some potential benefits, the proposal has been recommended for refusal due to several key issues. Overall, the proposal does not align with the strategic objectives and policies of the Manchester Core Strategy and other relevant planning documents. Therefore, it has been concluded that the negative impacts outweigh the potential benefits, leading to a recommendation for refusal.

Recommendation: Refuse

Article 35 Declaration

Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 outlines how the local planning authority needs to have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. On this occasion there wasn't a viable scheme to be negotiated at the location and therefore the officer proceeded to recommendation after communicating with applicant.

Reasons for recommendation to refuse

1. Loss of C3 dwellinghouse

The proposed change of use would result in the loss of a family sized C3 dwellinghouse which would reduce the standard and availability of such housing in the area, undermining the provisions of policies H1, H5, and SP1 of the Manchester Core Strategy, which seek to provide an appropriate mix and balance of housing provision in the locality, in order maintain a sustainable neighbourhood and cohesive housing market.

2. Harm to character of the area

The proposed sub-division of the property to form a single bedroom flat and ground floor retail unit, would give rise to increased activity within the property which would give rise to undue noise and disturbance to the detriment of the character of the mostly residential area. As such the proposal is contrary to the City Council's Planning Policies SP 1, EN 1 and DM 1.

3. Harm to residential amenity

The proposed Class E(a) use by virtue of its proximity to neighbouring dwellings combined with the proposed unsociable opening hours, would be unduly detrimental to the residential amenity and quietude of their occupants as a result of the additional comings and goings and on street parking activity opposing policies DM 1, SP 1, and EN 1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

4 Wallace Avenue, Manchester, M14 5HH
82B Dickenson Road, Manchester, M14 5HF
Flat 2, 82A Dickenson Road, Manchester, M14 5HF
Flat 1, 82A Dickenson Road, Manchester, M14 5HF
Office, 90 Dickenson Road, Manchester, M14 5HJ
First Floor Flat, 88 Dickenson Road, Manchester, M14 5HJ
8 Wallace Avenue, Manchester, M14 5HH
16 Arreton Square, Manchester, M14 5AU
10 Arreton Square, Manchester, M14 5AU
13 Gatcombe Square, Manchester, M14 5AS
2 Wallace Avenue, Manchester, M14 5HH
5 Wallace Avenue, Manchester, M14 5HH
3 Wallace Avenue, Manchester, M14 5HH
9 Gatcombe Square, Manchester, M14 5AS
The Mews, 1 Wallace Avenue, Manchester, M14 5HH
84 Dickenson Road, Manchester, M14 5HF
90 Dickenson Road, Manchester, M14 5HJ
88 Dickenson Road, Manchester, M14 5HJ
14 Arreton Square, Manchester, M14 5AU
12 Arreton Square, Manchester, M14 5AU
15 Gatcombe Square, Manchester, M14 5AS
11 Gatcombe Square, Manchester, M14 5AS
92 Dickenson Road, Manchester, M14 5HJ
6 Wallace Avenue, Manchester, M14 5HH

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
Area Team Boundary - Name: SOUTH AREA

