



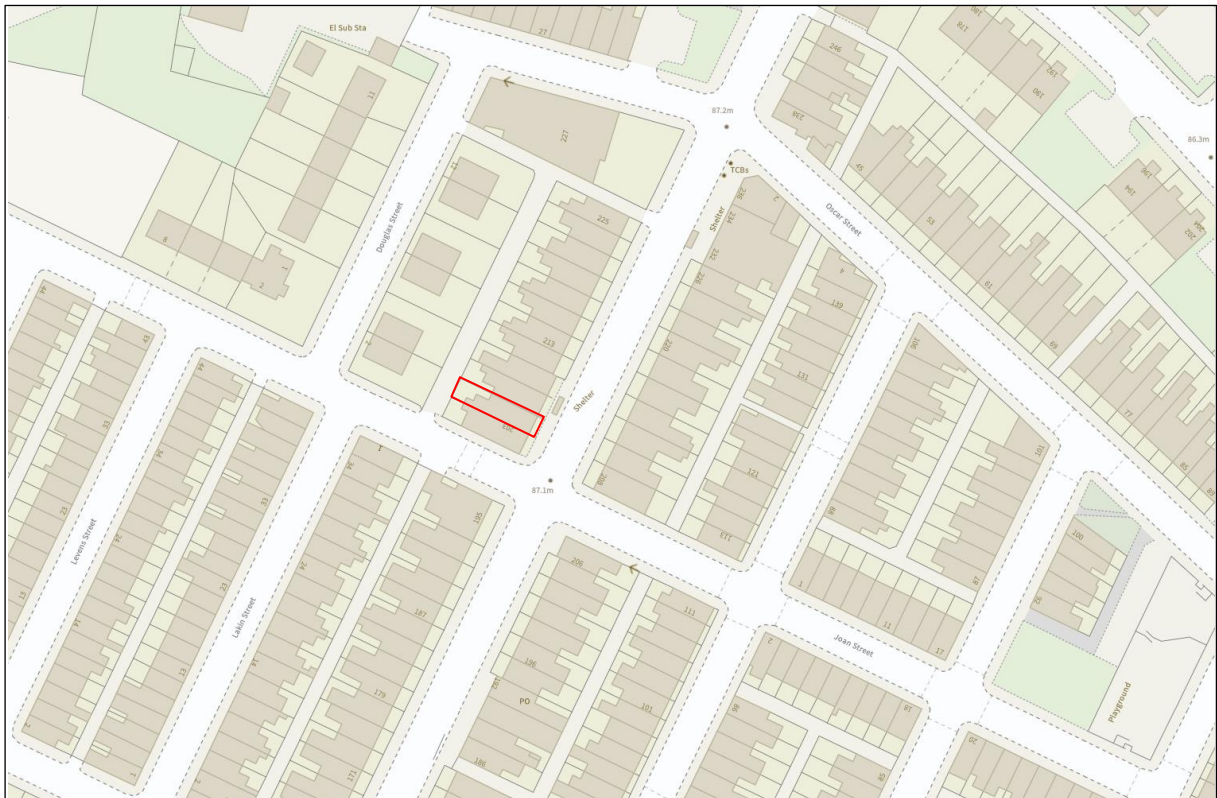
Statement prepared in support of a Prior Approval application for the proposed change of use of the ground floor of 205 Lightbowne Road, Manchester, M40 9DD from Class E (Barber's Shop) to a Class C3 dwelling house (1 bedroom self-contained flat).

The application is made under the provisions of Schedule 2 Part 3 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Statement prepared by William McCall Architectural Services

Date: October 2024

SITE LOCATION





Photograph showing the application site and adjoining commercial properties



Photograph showing the application site and the wider street scene

Layout / Content of this Planning Justification Statement

This statement is organised into the following sections:

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Section 2: Site Planning History / Proof of Existing Class E Use

Section 3: The Proposed Scheme (Change of Use from Barber's Shop to Dwelling House
– 1 Bedroom Self-Contained Flat)

Section 4: Relevant Legislation (Class MA of GPDO – Commercial, Business and Service
Uses to Dwelling houses)

Section 5: Justification for the proposed change of use from Barber's Shop to Dwelling
house

Section 6: Summary / Conclusion

Appendices

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Appendix 2: Evidence of existing Class E Use (Barber's Shop)

Appendix 3: Extracts from DEFRA Data Services Platform and The Coal Authority showing
the site is not affected by any potential contamination risk factors

Appendix 4: Contact Details of the Applicant / Developer (Steve Lenehan of Lenehan
Homes)

1.0 Introduction and Background

1.1 William McCall Architectural Services have been commissioned by Mr Steven Lenehan of Lenehan Homes Limited to submit to the Local Planning Authority (LPA) a Prior Approval application for the proposed change of use of the ground floor of 205 Lightbowne Road, Manchester, M40 6DD from Class E (Barbers Shop) to a Class C3 dwelling house (1 bedroom self-contained flat). The application is made under the provisions of Schedule 2 Part 3 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

1.2 This statement will seek to justify why the proposed change of use complies with the aforementioned legislation (Class MA) and suitably addresses the 'relevant' condition issues that need to be assessed in respect of the development and building in question, including Transport Impacts, Contamination Risk, Flooding Risk, Noise Impacts from commercial premises on the intended occupiers of the development, the provision of adequate natural light in all habitable rooms, and minimum dwelling size internal space standards.

1.3 The application site (205 Lightbowne Road) is situated in the Moston area of Manchester, and it consists of a barber's shop on the ground floor and a separate one bedroom self-contained flat above on the first floor. The ground floor barber's shop is presently vacant, and it was last occupied and used for commercial purposes in 2020. The property lies within a small row of four shops at the end of a terrace of mainly dwelling houses. The shops include a pharmacy, estate agent and bakers. There are also some other commercial uses taking place in the vicinity of the site directly opposite and further along Lightbowne Road, but the surrounding area is predominantly residential in character.

1.4 The building is a traditional two-storey terraced property, and it is constructed mainly of red brick and covered by a pitched slate roof. The ground floor commercial shop

element has a standard display window and entrance door on the front elevation. There is an original two-storey projecting outrigger on the rear elevation with a mono pitched sloping roof and it has an external staircase attached that serves the first floor flat. There is a small open yard area to the rear that is enclosed by brick walls with a gate providing access to and from a private access passageway. There are some modern two-storey dwelling houses on Douglas Street directly to the rear of the site.

- 1.5** The site is in a highly accessible and sustainable location with Manchester City Centre being located approximately 4 km to the southwest. Lightbowne Road (B6393) has regular bus services that run directly into Manchester City Centre, and there is a bus stop situated outside the next-door property (No.207). There are additional bus services running along Oldham Road (A62), which is a reasonable 800 metre walking distance away.
- 1.6** The site does not have any dedicated in-curtilage parking provision, but there is unrestricted parking available on nearby streets for anyone who uses a motor vehicle.
- 1.7** The site is fully accessible to all key and essential services including shops, doctors, dentists, chemists, restaurants, leisure facilities, schools and places of worship. There are also nearby places for outdoor exercise and recreation including Lightbowne Country Park and Moston Vale.
- 1.8** The applicant has appointed William McCall Architectural Services to prepare the drawings for the change of use and these include existing and proposed floor plans and elevations. Copies of the drawings are included for reference in Appendix 1.

2.0 Site Planning History / Proof of Existing Class E Use

Site Planning History

- 2.1** According to the Manchester City Council published on-line Planning records there is only one planning application showing for the site address as detailed below.

140526/LP/2024 - Change of use of ground floor retail (Use Class E) and first floor flat (Use Class C3) to two (1no. bedroom) flats (Use Class C3) – Refused 09/09/2024
This application was submitted by mistake using the wrong legislation.

Proof of Existing Class E Use

- 2.2** The Google Street View images included in Appendix 2 dated September 2008, July 2014 and July 2019 clearly show that the ground floor shop at 205 Lightbowne Road was being used as a Barber's (Chris's World Famous Barbershop), which falls under the Class E (Commercial, Business and Service) category in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, so would be eligible for the permitted development change to Class C3 (dwellinghouses) under Class MA. The existing Class E use has therefore been taking place at the site for a minimum period of 16 years.
- 2.4** The Valuation Office Business Rates on-line records also indicate that 205 Lightbowne Road is designated as a Shop and Premises, and a screenshot of the record is also included in Appendix 2.

3.0 The Proposed Scheme (Change of Use from Shop to Dwelling House)

- 3.1** The applicant is seeking Prior Approval from the Local Planning Authority for the proposed change of use of the ground floor shop space at 205 Lightbowne Road from Class E Shop to 1 self-contained flat (dwelling house).
- 3.2** The applicants (Lenehan Homes Limited) are a well-known and respected property management company, and they also own a portfolio of commercial and residential

properties in the Greater Manchester area.

- 3.3** The current shop premise has a standard display window and entrance door on the front elevation, and this is being retained for the proposed residential flat. The existing internal layout of the barber's shop involves the front area where customers have their hair cut and wait to be seen, and then there is rear section of the shop containing a small kitchen, toilet and storage area. There is a side doorway that leads into the rear yard area, and this acts as a secondary access point and means of escape.
- 3.4** The proposed change of use would see the ground floor shop space converted into a one bedroom self-contained residential flat (Class C3). The flat is of a good size, and it has a functional layout. The main doorway entrance point is on Lightbowne Road, and this opens into a long hallway which serves a living / dining room, shower room, bedroom, and kitchen. These type and standard of facilities are expected for reasonable residential living. The internal space of the flat comfortably meets the DCLG Technical housing standards – nationally described space standard for a one storey one bedroom accommodation. All the habitable rooms in the flat benefit from having a window opening which will provide natural light and outlook for the occupier. There is a secondary access from the kitchen that leads into the rear yard.
- 3.5** The applicant will provide bin storage facilities at the rear of the building where the occupier of the flat can deposit / recycle their waste. This is the same as the existing situation for the shop.
- 3.6** There are no changes proposed to the external appearance of the building and the applicant is retaining and utilising all the existing door and window openings. The applicant will however be fully modernising the building to bring it up to current residential standards and will replace some windows and doors (where needed), and install new insulation, heating, plumbing and sound proofing etc. The works will be undertaken to meet Building Control standards requirements.

4.0 Relevant Legislation (Class MA of the GPDO – Class E to Dwellinghouses)

4.1 Schedule 2 Part 3 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is the relevant legislation that permits *‘development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order’*. Class MA was introduced into the planning legislation and came into force on 21st April 2021 via the Town and Country Planning (General Permitted Development etc.) (England) Order 2021 (UK Statutory Instrument 2021 No.428). There have been some recent amendments to the legislation that came into effect from 5th March 2024.

4.2 The legislation at MA.1-(1) states that development is not permitted by Class MA if it does not meet the following criteria as detailed below -

- (b) the use of the building has to have fallen within one of the classes (Class A1, Class A2, Class A3, Class B1, Class D1(a), Class D1(b) or Class D2(e) as it had effect before 1st September 2020, or Class E on or after 1st September 2020) for a continuous period of at least 2 years prior to the date of the application for prior approval;
- (d) the land covered by or within the curtilage of the building—
 - (i) is or forms part of a site of special scientific interest;
 - (ii) is or forms part of a listed building or land within its curtilage;
 - (iii) is or forms part of a scheduled monument or land within its curtilage;
 - (iv) is or forms part of a safety hazard area; or
 - (v) is or forms part of a military explosives storage area;
- (e) the building is within—
 - (i) an area of outstanding natural beauty;

- (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981(3);
- (iii) the Broads;
- (iv) a National Park; or
- (v) a World Heritage Site;
- (f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or
- (g) before 1 August 2022, if—
 - (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
 - (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

4.3 Development under Class MA is also subject to the satisfaction of a number of conditions and the legislation at MA.2. (2) requires that before the development begins, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport impacts of the development, to ensure safe site access
- (b) contamination risks in relation to the building,
- (c) flooding risks in relation to the building,
- (d) impacts of noise from commercial premises on the intended occupiers of the development,
- (e) where-
 - (i) the building is located in a conservation area, and
 - (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;

- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses,
- (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and
- (h) where the development involves the loss of services provided by—
 - (i) a registered nursery, or
 - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(4), the impact on the local provision of the type of services lost.
- (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

4.4 MA.2.(3) states that an application for prior approval for development under Class MA cannot be made before 1 August 2021 and MA.2.(4) states that the provisions of paragraph W (prior approval) apply in relation to an application under this paragraph. Applications that are directly affected by Flooding Risk must include a site-specific flood risk assessment and the Environment Agency must be consulted. Applications that meet the fire risk condition must include a statement about the fire safety design principles, concepts and standards that have been applied to the development, and the Health and Safety Executive must be consulted.

4.5 MA.2.(5) states that development must be completed within a period of 3 years starting with the prior approval date.

4.6 MA.2.(6) states that “Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.”

4.7 For prior approval applications submitted from 6 April 2021 onwards, any new dwelling house is also required to comply with the DCLG Technical housing standards – nationally described space standards.

5.0 Justification for the proposed change of use from Class E Shop to Dwelling house

5.1 The proposed change of use of the ground floor of 205 Lightbowne Road from Class E (Barber's Shop) to Dwelling House (1 Flat) complies with the criteria detailed in paragraphs 4.2 to 4.7 for the following reasons.

- The building has been used as a Class E Barber's Shop since at least 2008 as shown in the Google Street View images in Appendix 2 of this statement, so it is a lawful and longstanding use.
- the building and land within its curtilage **are not** designated as being or forming part of a site of special scientific interest, a listed building, a scheduled monument, a safety hazard area, and a military explosives storage area.
- the building **is not** situated within an area of outstanding natural beauty, an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981, the Broads, a National Park, or World Heritage Site.
- the site **is not** occupied under an agricultural tenancy.
- the proposed development **was not** eligible for change of use under the former Class O (Offices) PD legislation, and there is no Article 4(1) Direction in place covering this area.

5.2 We have assessed the 'relevant site related' issues detailed in the legislation conditions in MA.2.(2) (transport impacts, contamination risks, flooding risks, noise impact from commercial premises, adequate natural light to all habitable rooms of the dwellinghouses, and minimal dwelling sizes) and have prepared a written explanation and justification for each as they relate to the application site. These issues determine whether the prior approval of the Local Planning Authority (LPA) will be required for the change of use.

5.3 The application site is not a registered nursery, or a health centre and it is not located within a Conservation Area. The building is situated in a predominantly residential area, so it is also not in an area the authority considers to be important for general or heavy

industry, waste management, storage and distribution, or a mix of such uses. Therefore, the conditions outlined in M.A.(2) (e), (g) and (h)(i)(ii) are not relevant to the proposed change of use.

5.4 The proposed development does not meet the Fire Risk condition according to article 9A paragraphs 3 and 7 of the Development Management Procedure Order (2015). The proposed development includes the provision of one new dwelling house (creating two in total in the building), but the building is less than 18 metres in height, and it does not contain 7 or more storeys above ground.

5.5 Transport impacts of the development, particularly to ensure safe site access

5.6 The existing barber' shop is located on Lightbowne Road (B6393), and it is in an accessible and sustainable location. The building does not have any in curtilage car parking provision and therefore any staff or customers using a private car would likely have to use an un-restricted street for parking purposes. Staff and customers without their own vehicle will normally get a lift, use public transport, cycle or walk to the premises. We would estimate that a busy barber's shop with two staff members could potentially have approximately 14 customers a day based on a standard haircut taking one hour per customer and the business opening from 9am until 5pm. The number could potentially be greater if there were more barbers working inside and they operated longer hours. There are no trading restrictions on the business so this would be possible.

5.7 The proposed self-contained flat (dwelling house) offers one bedroom accommodation, and it will be occupied by a single person meaning that there will be significantly less traffic generation and associated impact on the highway from this proposed use in comparison with the barber's shop. It would not be essential for the occupier of the proposed flat (dwelling house) to own or run a car due to the location of the site and its access to public transport options and the other essential services in the locality.

5.8 The main access to the flat would be taken via the existing front doorway entrance point

on Lightbowne Road, so it is highly visible in the street scene and benefits from natural surveillance. The front entrance is on a level with the public highway outside so this is useful in facilitating easier access into the building for all persons. There is also a secondary access at the rear of the property, and this is achieved via an accessway off Brendon Avenue. The accessway is wide and hard surfaced and it serves the rear of the terrace on Lightbowne Road. This rear area also benefits from a good level of natural surveillance as it can be seen from the houses on Brendon Avenue and Douglas Street that face it. This is beneficial for reducing potential crime and anti-social behaviour related problems.

- 5.9** For the reasons highlighted, we consider that proposed change of use of the ground floor of the building to a single flat (dwelling house) would have significantly less impact in transport and highway terms than the current Class E use, and safe site access can be achieved. Therefore, prior approval should therefore not be required in respect of this condition aspect.

5.10 Contamination Risks in relation to the building

- 5.11** Historically, we consider that the building will likely have always been used as a shop with residential accommodation above given its visual appearance and site location. The four commercial shops basically form a small local shopping parade, and they sit at the end of a long-terraced row of residential properties. It is possible that the barber's shop may have been used for other commercial / retail purposes in the past, but it is unlikely that the former uses would be considered to pose any form of contamination risk. The works that are required to facilitate the conversion to a residential flat will be undertaken to Building Regulations requirements and if any unbeknown contamination issues happen to be found, they will be suitably and professionally dealt with by the applicant. There are no proposals to carry out any significant engineering works or to expose the land areas outside of the building as part of the change of use and the intention is to leave the outside yard surface as existing. There are no new outside amenity or garden areas being created

as part of this conversion, and this would clearly reduce the potential for any ground contamination related risk.

5.12 The buildings and uses located immediately adjacent to the site (to the side and rear) on Lightbowne Road, Brendon Avenue and Douglas Street and Bowden Street consist of shops and residential properties. The immediately adjacent properties are Class E uses (pharmacy, estate agent and bakers) and the properties to the side and rear on Brendon Avenue and Douglas Street are dwelling houses. There are no light / heavy industrial or waste management type uses in the vicinity and no known contaminated land issues in this area.

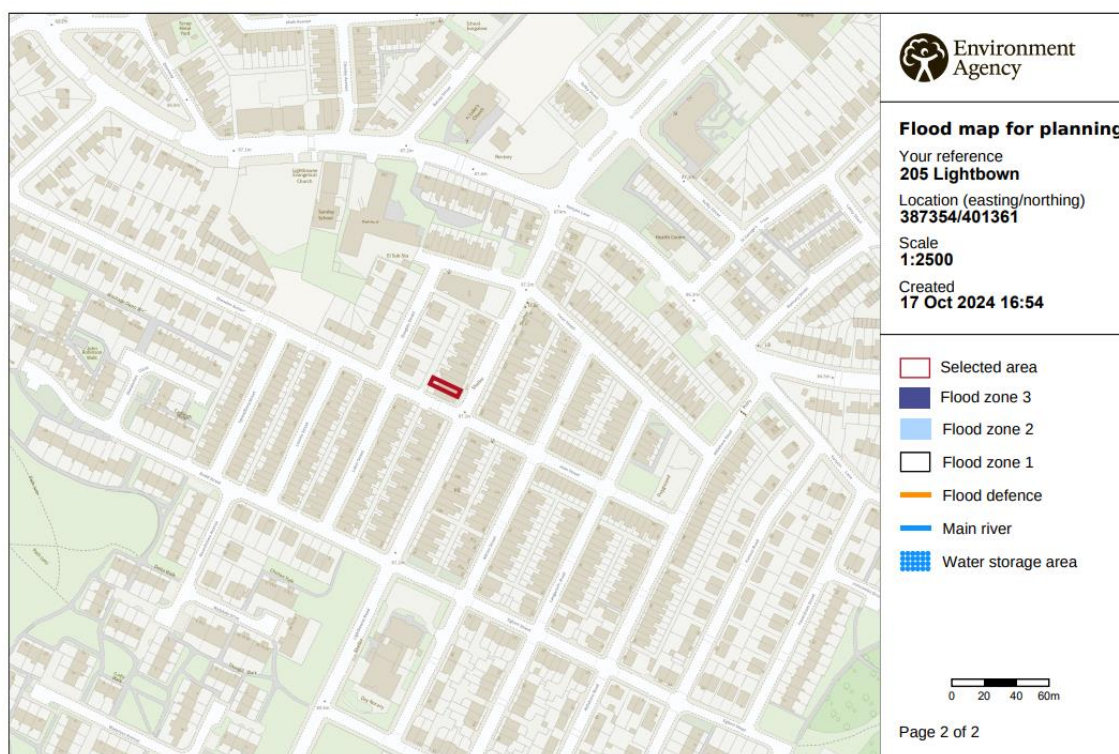
5.13 The on-line DEFRA records have revealed that there has been no historic landfill or permitted waste depositing taken place on or adjoining the site. The Coal Authority records show that there are no underground working, probable working or mine entry points affecting the site. Extracts from the relevant DEFRA and Coal Authority map searches are attached in Appendix 3. Based on all these factors, the site would appear to pose a 'low risk' of being contaminated and this can be suitably checked by the Council's Environmental Protection Team if required.

5.14 For the reasons highlighted, we consider that proposed change of use of the ground floor of the building to a flat (dwelling house) would not pose a contamination risk and that prior approval should therefore not be required in respect of this condition aspect.

5.15 Flood Risk

5.16 The site is located within a Flood Zone 1 according to the Environment Agency records which means that there is a low probability of flooding (1:1000). This means that each year this area has a chance of flooding of less than 0.1%. A copy of the flood risk map extract is included below to suitably verify this. We would also wish to highlight that there are no changes proposed to the external appearance of the property or to the surface of

the land outside to facilitate the change of use, which would increase the amount of surface water run-off at the site.



5.17 For the reasons highlighted, we consider that proposed change of use of the ground floor of the building to a dwelling house (flat) would not pose a flood risk and therefore prior approval should not be required with regard to this condition aspect.

5.18 Noise impact from commercial premises on the intended occupiers

5.19 It is accepted that any potential associated noise from the nearby premises needs to be suitably considered to ensure that the amenity and living conditions of the occupier of the proposed flat is acceptable. The property lies within a small row of four shops at the end of a terrace of mainly dwelling houses. The adjoining shops include a pharmacy, estate agent and bakers. There are also some other commercial uses taking place in the vicinity of the site directly opposite and further along Lightbowne Road, but the surrounding area is predominantly residential in character.

5.20 It is fair to say that the adjoining commercial properties (pharmacy, estate agent and bakers) would not generally be considered problematic noise or nuisance generating

business uses. They are Class E uses that are appropriate for operation in a residential area. The hours of operation of these types of businesses would also not generally take place at unsociable times of the day that would adversely impact upon the residents of the proposed new flat.

5.21 The applicant would be required to carry out internal acoustic improvements to the property to satisfy Building Regulations requirements so this would also assist in reducing any potential passages of noise / sound on the party walls and ceilings.

5.22 For the reasons highlighted, we consider that prior approval should therefore not be required in respect of this condition aspect.

5.23 Adequate natural light to all habitable rooms of the house

5.24 The applicant is retaining all the existing window openings in the building for use in the conversion, and the architect has carefully designed the scheme to ensure that the habitable rooms in the flat unit will benefit from having a window, which will provide natural light and outlook and ventilation for the occupier. The windows can be clearly seen in the existing and proposed scheme drawings prepared by the architect.

5.25 For the reasons highlighted, we consider that prior approval should therefore not be required in respect of this condition aspect.

5.26 Gross Internal Floor Area of the Dwelling House (1 Flat) and Compliance with the Nationally Described Space Standards

5.27 The self-contained flat unit (dwelling house) in the proposed conversion scheme is a one-bedroom unit over one floor measuring 45sqm, and it has a separate living / dining room, kitchen, bedroom, and shower room. The internal space of the flat meets the DCLG Technical housing standards – nationally described space standards for a one bedroom one storey one person dwelling house with shower room (37m²).

5.28 For these reasons, we consider that prior approval should therefore not be required in respect of this issue.

6.0 Summary / Conclusion

6.1 We consider that the detailed information provided in the submitted plan drawings and in this Supporting Planning Statement suitably satisfies the requirements and conditions criteria outlined in the provisions of Schedule 2 Part 3 Class MA (*commercial, business and service uses to dwellinghouses*) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and therefore the change of use of the ground floor of the building from Class E Barber's Shop to a dwelling house (Flat) is permitted development and Prior Approval is not required.

6.2 However, if the Council are of the view that Prior Approval is required in respect of any of the condition's criteria included within Class MA, we would respectfully request that they grant Prior Approval taking into consideration the detailed information that has been provided as part of this application (Supporting Planning Statement and Appendices and Architects Drawings). The applicant is also prepared to accept the imposition of any conditions that the Council considers appropriate or necessary in this case to allow the conversion to take place.

List of Appendices

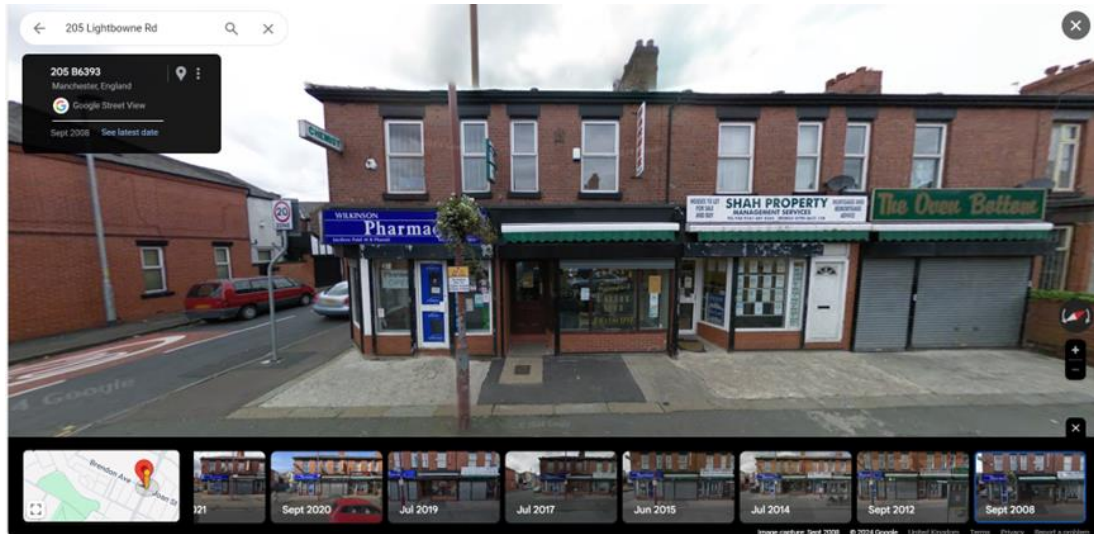
Appendix 1 – Plan drawings for the proposed change of use including existing and proposed floor plans and elevations.

Appendix 2 – Evidence of existing Class E Use - Photographs of the existing Barber's shop and Rating documentation.

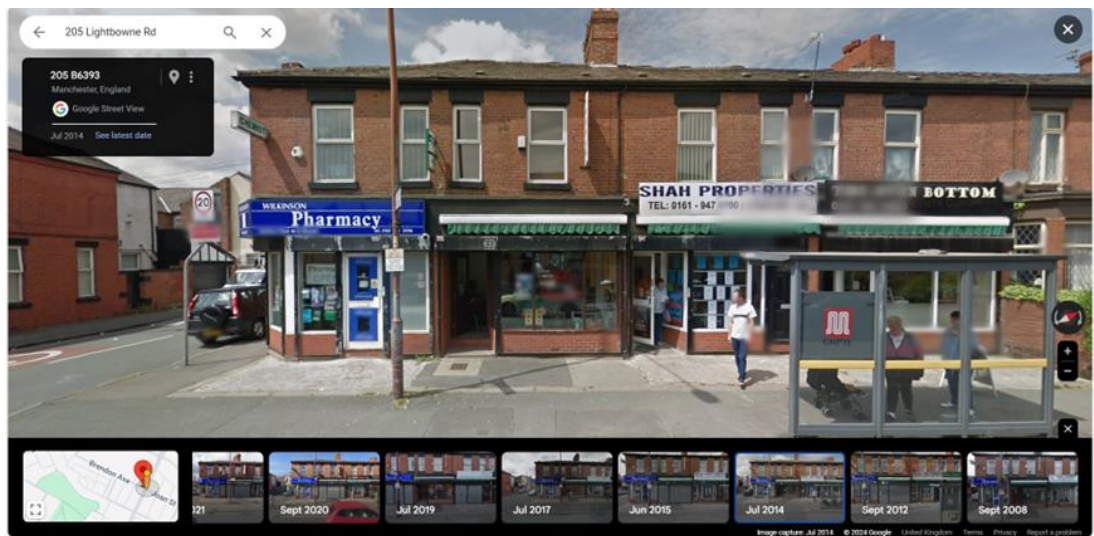
Appendix 3 – Extracts from DEFRA Data Services Platform and The Coal Authority showing the site is not affected by any potential contamination risk factors

Appendix 5 - Contact Details of the Applicant / Developer (Lenehan Homes Limited)

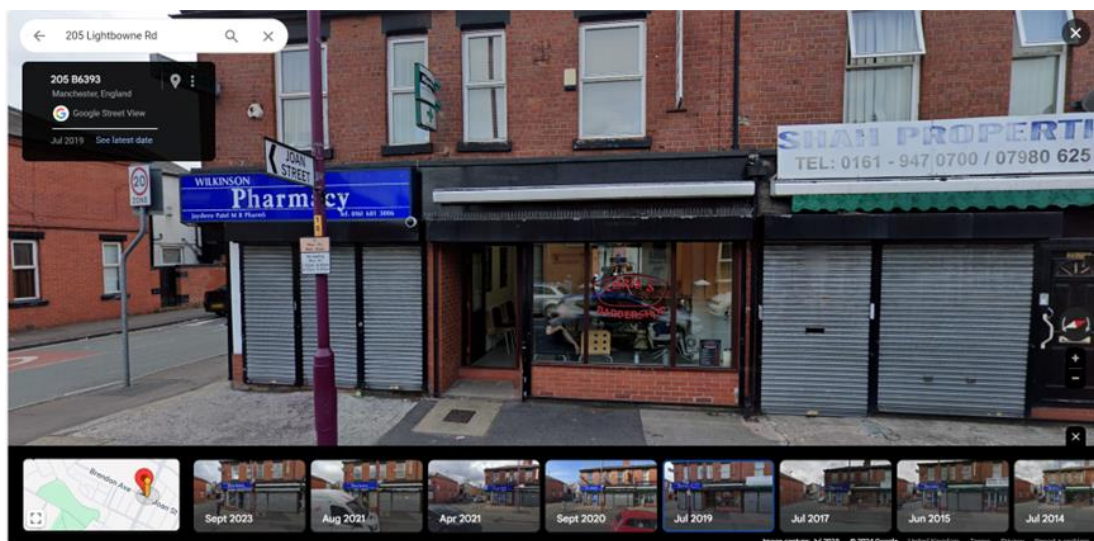
Appendix 2 - Evidence of existing Class E Use - Photographs and Rates Documentation



Google Street View image dated September 2008



Google Street View image dated July 2014



Google Street View image dated July 2019

Valuation Office Rates Information



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Property

205, Lightbowne Road, Manchester,
M40 9DD

Valuation

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Valuation

Current rateable value (1 April 2023 to present)
£5,200

This is the rateable value for the property. It is not what you pay in business rates or rent. Your local council uses the rateable value to calculate the business rates bill.

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Valuations for this property

Valuations ?	Effective date ?	Rateable value
CURRENT 1 April 2023 to present	1 April 2023	£5,200
PREVIOUS 1 April 2017 to 31 March 2023	1 April 2017	£4,200

[Show all sections](#)

Valuation details

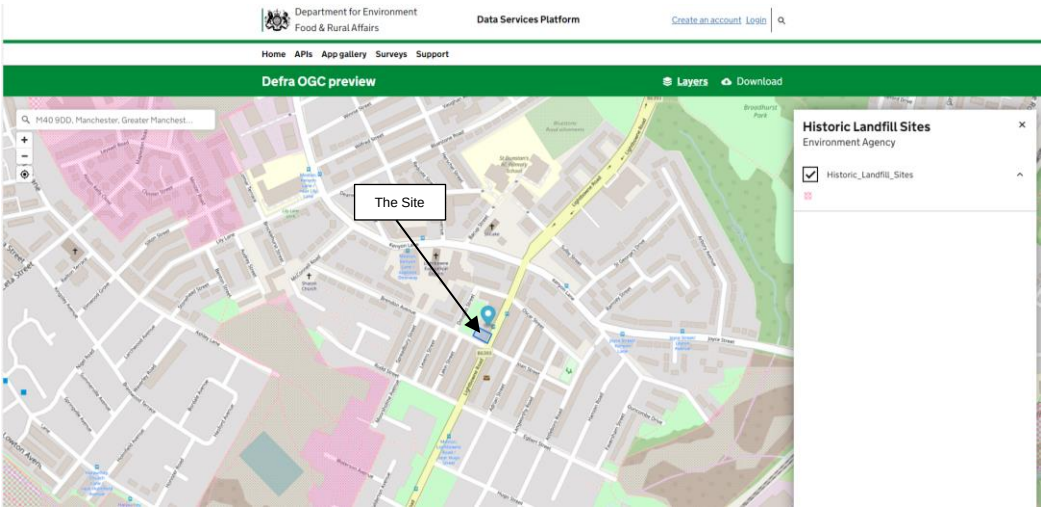
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Description ?	Shop and premises
Local council	Manchester
Local council reference ?	1935235
Rating list ?	2023
Effective date ?	1 April 2023
Valuation scheme reference ?	604162
Base rate ?	£230.00
Measurement method ?	Net internal area
Transitional relief certificate issued ?	No
Special category code ?	249G

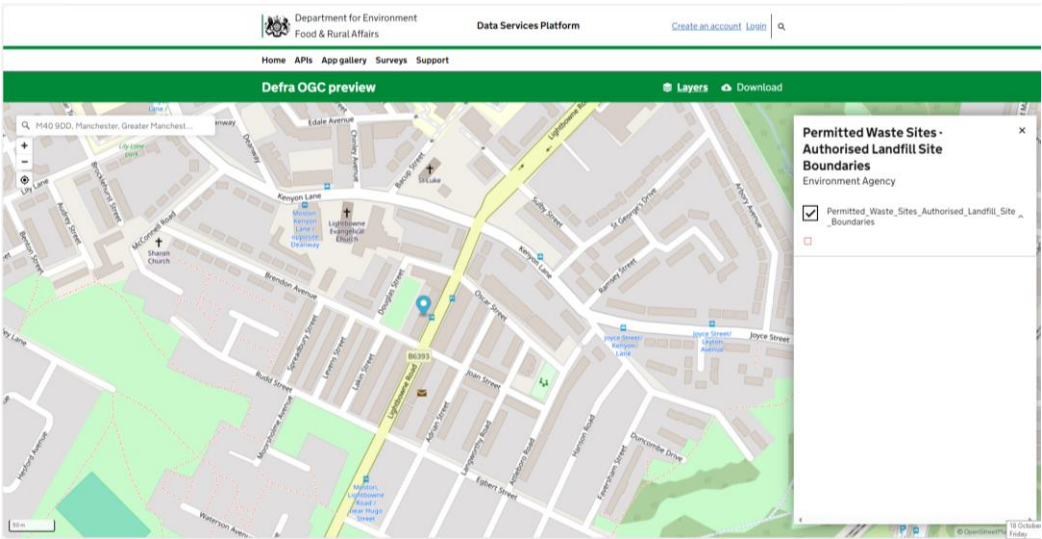
How the rateable value is calculated

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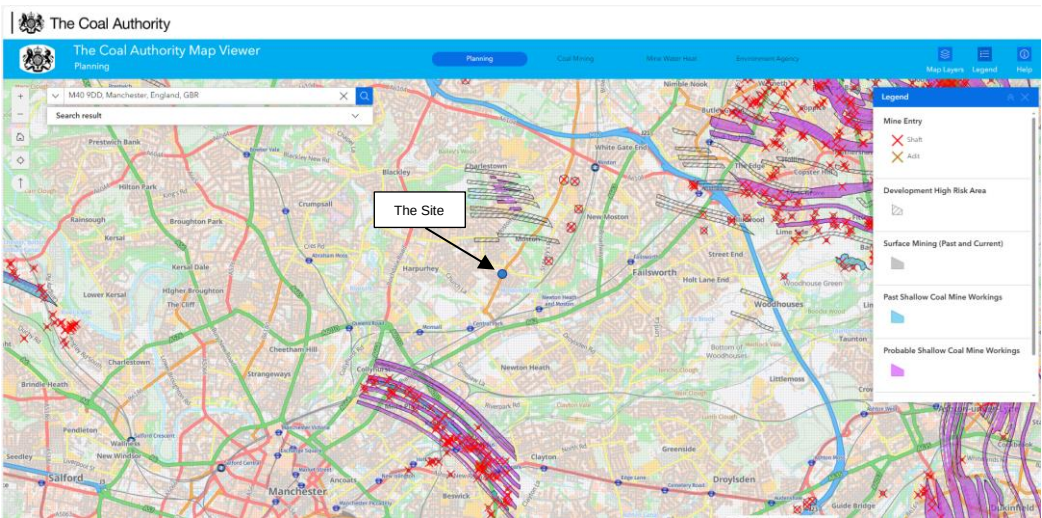
Appendix 3 – Extracts from DEFRA Data Services Platform and The Coal Authority showing site not affected by any potential contamination risk factors



Historic Landfill Map



Permitted Waste Sites Map



Coal Authority Risk Map

Appendix 5 – Contact details of the applicant

Mr Steven Lenehan

Leneham Homes Limited

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Email: slenehan23@googlemail.com