

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139993/FO/2024
Date registered valid: 13 May 2024
Proposal: Erection of single storey rear extension to form ancillary accommodation
Address: 478 Cheetham Hill Road, Manchester, M8 9JW
Ward(s): Crumpsall Ward

Applicant: Mr Zac Nabi
Agent (if any): Mr Syed Helal Uddin, SHUAS
Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 1 July 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 3 June 2024

Standard consultations:

Printed: 30 May 2024 Expired: 20 June 2024

Neighbour notifications

Printed: 30 May 2024 Expired: 20 June 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Number 478 Cheetham Hill Road sits within the Cheetham Hill District Centre, which comprises of a mix of uses ranging from commercial uses, some of which have residential accommodation above.

This application seeks consent for a single storey rear extension to create ancillary accommodation for the ground floor retail unit.

Planning History

077543/FO/2005/N1 Erection of part one part 3 storey extension to rear and remodelling of existing shop front: Withdrawn.

136552/FO/2023 Erection of three storey rear extension, elevational alterations and rear roof dormer to create enlarged retail unit to ground floor (Class E), 8 bedroom house in multiple occupation (sui generis) to first and second floors and 1 bedroom, self contained flat (Class C3) with the roofspace: Withdrawn.

137446/FO/2023 Change of use of first and second floors and roof space to create 3 self-contained flats (Class C3), together with the erection of a rear roof dormer and associated elevational alterations involving a new shopfront. Approved.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representations were received.

Environmental Health - were consulted and confirmed they had no comments regarding the proposal.

Issues

Policy

The below policies are considered relevant in the determination of this application.

Core Strategy

Policy SP1 refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy C8 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, which is particularly an issue for food and drink uses

Policy T2 requires that adequate car parking is provided for new developments. The Council will take the circumstances of each proposal into account to establish what level of parking is appropriate

Unitary Development Plan (Saved Policies)

Policy DC1 provides criteria to be considered in determining applications for extensions to residential properties.

The policy states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. the general character of the property;
- b. the effect upon the amenity of neighbouring occupiers;

- c. the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. the overall appearance of the proposal in the street-scene;
- e. the effect of the loss of any on-site car parking.

The policy states further that extensions to residential properties will be allowed subject to compliance with other relevant policies of the UDP and the following criteria;

- a. they are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
- b. they do not create an undue loss of sunlight, daylight or privacy;
- c. they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing.

Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

National Planning Policy Framework - The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024. The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:

i.JP- S1- Sustainable development

Issues

Principle

The principle of the proposed increase in floor space to provide ancillary accommodation for facilities to be used in conjunction with the existing retail use in the heart of a local neighbourhood shopping centre is generally considered acceptable, provided that there would be no overriding negative impact upon residential amenity, or upon the character of the area.

It should also be noted that the provision of use has been in operation. On balance, it is not considered that the proposal accords with saved policies DC1 and DC26 of the UDP and policies DM1, SP1 and T2 of the Manchester Core Strategy.

Residential Amenity

Due to the existing, commercial context of the immediate area, the commercial nature of other neighbouring operations and the relationship of the premises to the nearest residential properties, it is not believed that there would be a significant impact in terms of background noise levels and levels of activity.

The nature of the use and the marginal increase in floorspace is unlikely to create any significant, undue impact upon adjoining living conditions as a consequence of any increased noise and disturbance. As such, the impact upon residential amenity is deemed acceptable. It is further considered that due to the size and position and design of the proposed single storey rear extension and its relationship with adjoining properties, there would be no significant, adverse impact upon adjoining occupiers as a result of any overlooking, overshadowing or over-dominance. Therefore, the proposal accords with saved policies DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Refuse Storage

The waste strategy remains unchanged.

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Alterations to the scale, siting and appearance of the proposed dwellings have been sought through the

course of the application. The proposal is considered to be in accordance with the Development Plan and therefore determined in a timely manner.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

2040 and 2024, stamped as received on the 13 May 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The external facing materials to be used on the extension hereby permitted shall match those of the existing buildings in terms of type, colour, texture and scale.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

4) The waste arrangements shall be carried out in accordance with drawing numbered 2040, stamped as received by the City Council, as Local Planning Authority, on the 13 May 2024. The approved scheme shall be implemented prior to the first occupation of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

476A Cheetham Hill Road, Manchester, M8 9JW
480A Cheetham Hill Road, Manchester, M8 9JW
North Manchester Jamia Mosque, 3 Woodlands Road, Cheetham, Manchester, M8 9LF
Community Centre Junction Heath Street, Cheetham Hill Road, Manchester, M8 7ZZ
Ground Floor, 480 Cheetham Hill Road, Manchester, M8 9JW
Police Station, 551 Cheetham Hill Road, Manchester, M8 9HX
Flat 2, 482A Cheetham Hill Road, Manchester, M8 9JW
Flat 1, 482A Cheetham Hill Road, Manchester, M8 9JW
480 Cheetham Hill Road, Manchester, M8 9JW
476 Cheetham Hill Road, Manchester, M8 9JW
482 Cheetham Hill Road, Manchester, M8 9JW

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA