

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138171/FO/2023

Date registered valid: 7 December 2023

Proposal: Change of use from care home to 7 no. residential apartments including the erection of a three storey rear extension, associated elevational alterations, with bin/cycle store, landscaping and car parking following demolition of rear outrigger

Address: 9 Alness Road, Manchester, M16 8ET

Ward(s): Whalley Range Ward

Applicant: Dr Quamrul Islam

Agent (if any): Mr Tim Shennan, T S Architects Ltd

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 May 2024

DRAFT

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Standard consultations:

Printed: 20 December 2023

Expired: 13 January 2024

Neighbour notifications

Printed: 20 December 2023

Expired: 13 January 2024

Site notice

Posted: 3 January 2024

Expired: 24 January 2024

Press advert

Published: 2 January 2024

Expired: 23 January 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: No

The property that is the subject of this application is a Victorian detached Villa set on a reasonable sized plot. It is identified as 9 Alness Road in the Whalley Range ward of the City, and is within the Whalley Range Conservation area. It was previously in use as a nursing home, however has been vacant for some time. It has garden areas to the front and rear. The rear is accessed from down each side of the property. To the front is a brick and stone low boundary wall.

Description of area

Description of development

Consultations & Notification Responses

Local residents were informed - one letter of support has been received saying that they were glad to hear of the proposal as there have been antisocial behaviour problems whilst the property was empty.

Environmental Health- no objections subject to the attachment of appropriate conditions relating to the implementation of the waste management strategy, electric vehicle charging point, and external plant as the application says that air source ground heat pumps may be an option.

Highways

Flood Risk Management.

Whalley Range Forum- no comments received

Whalley Range Conservation Forum- no comments received

Issues

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 based on seeking solutions to problems arising in relation to dealing with the planning application. Revised plans have been received during the consideration of the application resulting in an acceptable development. Appropriate conditions have been attached to any consent granted. The scheme is considered to be in accordance with both national and local policies.

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:

PL200 Rev E Proposed Site Plan received by email 23.01.2024

Waste Management Proforma received by email 23.01.2024

PL320 A3 Rev C Proposed Refuse and Cycle Store received by email 23.01.2024

PL202A Proposed Ground and Lower Ground Floor Plan received 7th December 2023

PL203A Proposed First and Second Floor Plan received 7th December 2023

PL301A Proposed West Elevation received 7th December 2023

PL302A Proposed South Elevation received 7th December 2023

PL303A Proposed East Elevation received 7th December 2023

Kathering Colby Flood Risk Assessment received 7th December 2023

TS Design Access and Heritage Statement Revision C received 7th December 2023

3064001 swept path analysis received 7th December 2023

PL321 Rev B Proposed Boundary Wall Elevation received 7th December 2023

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 development hereby approved shall be constructed using materials that match those in the existing property in terms of colour, size and texture including mortar and patching in.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) Prior to above ground works commencing the scheme for the storage (including segregated waste recycling) and disposal of refuse that have been submitted and approved as part of this consent shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

5) Prior to first occupation, the details of the 3 parking spaces and widened vehicular access point as shown on drawing ref PL200 Rev E -proposed site plan received by email 23.01.2024 shall be implemented and demarcated ready for use. The parking shall be available as long as the proposals hereby approved are in use.

Reason - In the interests of pedestrian and highway safety and to ensure the satisfactory development of the site, pursuant to Policy DM1 in the Manchester Core Strategy.

6) Above-ground construction works shall not commence until details of the specifications of the electric vehicle charging points have been submitted to and approved by the City Council as Local Planning Authority.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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 Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

8) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extensions hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity 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 policy SP1 and DM1 Core Strategy for the City of Manchester.

10) Prior to above ground works commencing, details of the measures to be incorporated into the development to demonstrate how secure by design accreditation will be achieved shall be submitted to and approved in writing by the City Council as local planning authority. This should include details relating to the access route into the first floor accommodation, and measures to safeguard the residents of the residential accommodation. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

11) Prior to the occupation of the development, a detailed scheme of off-site highway works, in order to provide adequate vehicular access arrangements facility, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme shall be implemented and be in place prior to the first occupation of the development hereby approved and thereafter retained and maintained in situ.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy

Informatives

1) A new vehicular entrance is proposed to the property. It is noted that the existing lamp post is to be moved to accommodate the new vehicular entrance. The applicant will need to contact MCC's Street Lighting Team streetlighting@manchester.gov.uk. It will be at the applicants cost to undertake these works. Dropped kerbs will need to be provided for the proposed access on Alness Road to accommodate the parking spaces. Any redundant dropped kerbs will need to be reinstated. A Section 184 agreement will be required for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Alness Road and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense. It is important to note that Highways would not support any greater than a double dropped kerb and therefore the driveway should be positioned at an appropriate point away from the neighbouring driveway.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Whalley Range Conservation Area Group
Whalley Range Forum

Flat 7, 10 Alness Road, Manchester, M16 8ET
22 Mayfield Road, Manchester, M16 8FT
Flat 4, 8 Alness Road, Manchester, M16 8ET
Flat 1, 8 Alness Road, Manchester, M16 8ET
Flat 5, 8 Alness Road, Manchester, M16 8ET
14 Alness Road, Manchester, M16 8ET
Flat 1, 5 Alness Road, Manchester, M16 8ET
Flat 4, 5 Alness Road, Manchester, M16 8ET
7 Alness Road, Manchester, M16 8ET
Flat 4, 16 Mayfield Road, Manchester, M16 8FT
Flat 3, 8 Alness Road, Manchester, M16 8ET
Flat 2, 8 Alness Road, Manchester, M16 8ET
Flat 6, 10 Alness Road, Manchester, M16 8ET
Flat 5, 10 Alness Road, Manchester, M16 8ET
Flat 4, 10 Alness Road, Manchester, M16 8ET
Flat 3, 10 Alness Road, Manchester, M16 8ET
Flat 2, 10 Alness Road, Manchester, M16 8ET
Flat 1, 10 Alness Road, Manchester, M16 8ET
20 Mayfield Road, Manchester, M16 8FT
Flat 5, 5 Alness Road, Manchester, M16 8ET
Flat 3, 5 Alness Road, Manchester, M16 8ET
Flat 2, 5 Alness Road, Manchester, M16 8ET
Flat 7, 18 Mayfield Road, Manchester, M16 8FT
Flat 6, 18 Mayfield Road, Manchester, M16 8FT
Flat 5, 18 Mayfield Road, Manchester, M16 8FT
Flat 4, 18 Mayfield Road, Manchester, M16 8FT
Flat 3, 18 Mayfield Road, Manchester, M16 8FT
Flat 2, 18 Mayfield Road, Manchester, M16 8FT
Flat 1, 18 Mayfield Road, Manchester, M16 8FT
Flat 5, 16 Mayfield Road, Manchester, M16 8FT
Flat 3, 16 Mayfield Road, Manchester, M16 8FT
Flat 2, 16 Mayfield Road, Manchester, M16 8FT
Flat 1, 16 Mayfield Road, Manchester, M16 8FT
3 Alness Road, Manchester, M16 8ET
16 Alness Road, Manchester, M16 8ET

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Whalley Range Conservation Area 1992
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -

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