

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139379/FO/2024

Date registered valid: 27 February 2024

Proposal: Erection of single-storey front extension and alteration to boundary wall.

Address: 4 Barlow Road, Manchester, M19 3DJ

Ward(s): Levenshulme Ward

Applicant: Diamond Windows

Agent (if any): Mr Saghir Hussain, Create It Studio Architects

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 9 April 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 22 March 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 19 March 2024 Expired: 11 April 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

Description of area

The planning application relates to a detached two storey building that would be used in conjunction with a business use at 4 Barlow Road involved in the supply of replacement windows and building materials. The wider site has forecourt area used for car parking and an enclosed yard area and outbuildings. The application property incorporates a pitched roof with a gable elevation presented to Barlow Road with ground floor storage and an apartment in the first floor and roof space. The perimeter of the site is enclosed with a brick wall. Access to the apartment is taken via the adjacent yard. A place of worship is located to the west of the site. The opposite (northern) side of Barlow Road is residential. The wider area to the east of the site is also residential.



Fig.1 – Views of the application property from Barlow Road.

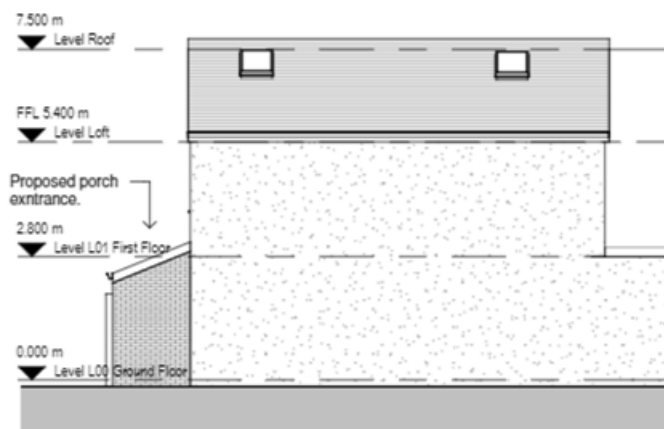
Description of development



1 Proposed North Elevation
1:100



2 Proposed East Elevation
1:100



3 Proposed West Elevation
1:100

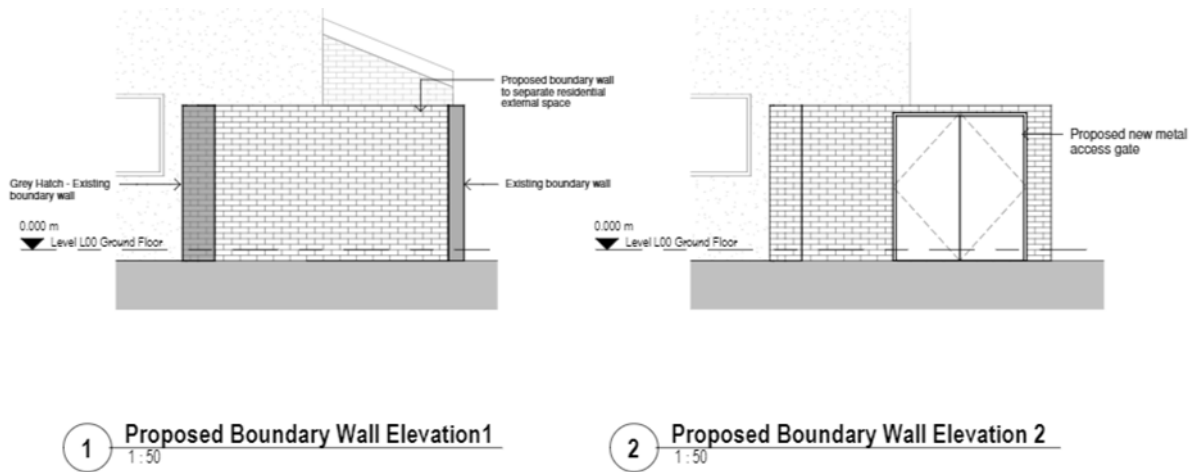


Fig.2 – Proposed elevations

The proposed development involves the formation of a front porch to the Barlow Road elevation. It would have a lean to roof with a maximum height of 3.3 metres , projection of 1.76 metres and width of 1.6 metres. The porch would be situated of the western side of the building and would be used in the connection with the formation of reconfigured staircase to the first floor. The porch would be incorporated into a retained boundary wall to the back of footpath to Barlow Road. The reconfigured returning eastern elevation of the wall would be formed to provide a gated access to the yard area supporting the retained ground floor business use. It would have a height of 2.1 metres, i.e., matching the height of the existing wall. An enclosed courtyard would be formed adjacent to the front elevation of the property and separated from the gated access by a wall. The courtyard would be access via a door in the side elevation of the proposed porch.

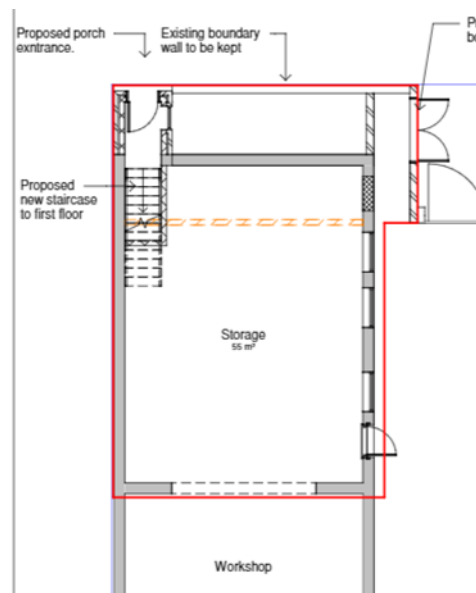


Fig.3 – Proposed layout

Site history

- i. 138588/FO/2023 – Application Refused – 18 January 2024
Erection of single-storey front extension and alterations to boundary wall
- ii. 094941/FO/2010/N2 - Application Approved - 31.03.2011
Erection of extension to and re-roofing of existing warehouse

- iii. 097643/FO/2011/N2 - Application Withdrawn - 01.02.2012
Erection of first floor extension above offices and alterations to roof to form additional office space
- iv. 098862/FO/2012/N2 - Application Approved - 02.08.2012
Erection of first and second floor extension above existing offices
- v. 031372 - Application Approved - 23.06.1988
Change of use from sign makers and erectors premises to builders yard and offices
- vi. F10889 - Application Refused - 25.07.1979
Single-storey extension to form enlarged showroom for industrial sewing machines.

Consultations & Notification Responses

Local residents – No comments received.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework.

- i. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion. It is considered that the development would have a minimal impact on the streetscene and be appropriately related to the existing building and boundary treatment. achieve a satisfactory relationship to the streetscene and would be helpful to residential amenity. The development would thereby be accord with chapter 8.

iii. Chapter 11: Making effective use of land - States that planning decisions should promote an effective use of land, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It also encourages the use of previously developed or 'brownfield' sites. The development would provide limited additional floorspace and would facilitate the on-going use of the application property. The development would thereby be accord with chapter 11.

iv. Chapter 12: Achieving well-designed places - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. For the reason set out below the development would achieve a satisfactory design and chapter 12 would be accorded with.

The Places for Everyone Plan is a Joint Development Plan Document - Provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report. Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The following comments are considered to be relevant:

JPS1 - Sustainable development

JP-J4 - Industrial and warehousing development.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG, which have been appropriately responded to:

- i. Consultation and pre-decision matters
- ii. Design
- iii. Health and well-being

a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;

b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

It is considered that the proposed development would positively contribute to the character of the surrounding residential area or the amenities of neighbouring residents. Policy SP1 would not be accorded with.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester should meet high standards of urban design and opportunities for good design, which enhance the overall image of the City should be fully realised. It is considered that the design of the frontage to the porch and new walls would be appropriately related to the building or the surrounding context. Policy EN1 would be accorded with.

Policy EN 14 (Flood Risk) - States that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The application sites located in Flood Zone 1 and it is not apparent that the development would presents additional risk of flooding.

Policy EN19 (Waste) - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

The existing uses within the application site would utilise existing waste management arrangements.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- o Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- o Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- o Community safety and crime prevention;
- o Design for health;
- o Refuse storage and collection.

The development would accord with policy DM1, due to the appropriate siting design and appearance of the development and its relationship to the characteristics of the streetscene.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. In this case, officers and the applicant (through the appointed representative), engaged in pre-application discussions that informed the detail of the submitted application. During the consideration of the application, discussions were undertaken regarding the established residential use of the property and the parameters of the proposed development.

Principle of the development – Notwithstanding the detail of the submitted drawings, planning records have not established that the referenced first floor residential use has been historically

established. The applicant has provided some information that suggests that the residential use has been in place for at least four years. However, this information is incomplete, and the applicant has accepted that the residential use would need to be demonstrated through a lawful development certificate. The application has been assessed on the basis of the proposed formation of a porch extension and the erection of new walls and gates, which are considered to be acceptable. A condition has been attached excluding residential use from the planning permission.

Residential amenity – Given the magnitude and scale of the proposed development it is not considered that there would be any undue harm to visual or residential amenity.

Siting – The proposed porch would be appropriately related to the constraints of the site and would be appropriately related to the streetscene. The position of the new section of returning wall would follow the line of an existing wall. This element of the development would be appropriate and reflective of the established characteristics of the site.

Design – The proposed porch would be related to a simple elevational form that would be suitably related to the composition of the existing building and boundary treatment. The proposed design is considered to be acceptable subject to the conditioned use of matching materials. The proposed walls and gates have been appropriately related to the height of the existing walls and are, again, considered to be acceptable subject to the use of matching materials.

Land conditions – As apart of the assessment of previous application referenced (relating to the site) 138588/FO/2023, Environmental Health requested a watching brief condition. Given the nature of commercial use within the site, this condition has been applied.

Crime and security – An informative has been included that recommends that any new windows, doors, locks and fittings meet Secured by Design standards. Notwithstanding the above, it is not apparent that the development would present any new security concerns or increased risk of crime.

Accessibility – The development would not achieve level access and the porch would serve a staircase. The existing circumstances would thereby be maintained.

Waste management – The existing arrangements would be maintained.

Conclusion – The development would be acceptable with regard to its design, appearance and siting. The development would not unduly harm the residential or visual amenities of the area.

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. In this case, officers and the applicant (through the appointed representative), engaged in pre-application discussions that informed the detail of the submitted application. During the consideration of the application, discussions were undertaken regarding the established residential use of the property and the parameters of the proposed development.

Condition(s) to be attached to decision for approval

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 received by the City Council as local planning authority on 27 February 2024:

Planning application forms

Location plan & site plan Ref: A1516(01)001 Rev P2

Proposed site plan Ref: A1516(02)001 Rev P4

Proposed Floor Plans Ref: A1516(02)002 Rev P4

Proposed elevation Ref: A1516(02)003 Rev P4

Proposed elevation Ref: A1516(02)002 Rev P3

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 for the City of Manchester.

3) The materials to be used in the construction of the development hereby approved, including bricks and roof tiles, together with the method of coursing and pointing, shall match the existing dwellinghouse, in terms of colour, texture and appearance as indicated on the householder planning application forms received on 27 February 2024.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) Notwithstanding the details of drawing referenced: Proposed Floor Plans: A1516(02)002 Rev P4, the planning permission hereby granted does not confer consent for the use of the upper floors of 4 Barlow Road as a two bedroom apartment.

Reason - In the interest do residential amenity pursuant to policies DM1 and SP1 of the Core Strategy for the City of Manchester.

5) Upon implementation of the development, a 'watching brief' shall be maintained and respond to any ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied. If such contamination is encountered, then development shall cease and/or not occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy) shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed Remediation Strategy. Before the occupation of the development, a post completion to shall be submitted and approve in writing by the City Council as local planning authority confirming that land contamination has not been encountered or the development has been undertaken I accordance with the agreed remediation strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies SP1, EN19 and DM1 of the Unitary Development Plan for the City of Manchester.

Informatives

1) Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) It is recommended that any new windows, doors, locks and fittings meet Secured by Design standards.

Appendix 1 – List of consultees & neighbours notified

4 Firsby Street, Manchester, M19 3FB
Top Flat, 4 Barlow Road, Manchester, M19 3DJ
23 Barlow Road, Manchester, M19 3DB
Levenshulme Islamic Centre, 2 Barlow Road, Manchester, M19 3DJ
25 Barlow Road, Manchester, M19 3DB
21 Barlow Road, Manchester, M19 3DB
19 Barlow Road, Manchester, M19 3DH

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
Area Team Boundary - Name: NORTH AREA