

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138869/FO/2023

Date registered valid: 2 February 2024

Proposal: Change of use from shop with associated living accommodation above to shop and four bed self-contained flat, with associated elevational alterations to create separate entrance to self-contained flat.

Address: 119 Egerton Road South, Manchester, M21 0XN

Ward(s): Chorlton Park Ward

Applicant: Mrs. Kalsoom Ahmed

Agent (if any): Mr. Niamat Ali, NA Design

Case officer: Joshua Lee

Tel: 0161 219 2851

Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27/02/2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 28/02/2024

Standard consultations:

Printed: 5 February 2024 Expired: 26 February 2024

Neighbour notifications

Printed: 5 February 2024 Expired: 26 February 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

Proposal is related to a mid-terrace property on Egerton Road South. The property features a commercial premises to the ground floor and connected residential to the first floor. The property features an existing single storey rear outrigger and larger rear extension. The property features hardstanding to the rear with vehicle access from Egerton Road South.

Listed building: Not applicable

Conservation area: Not applicable

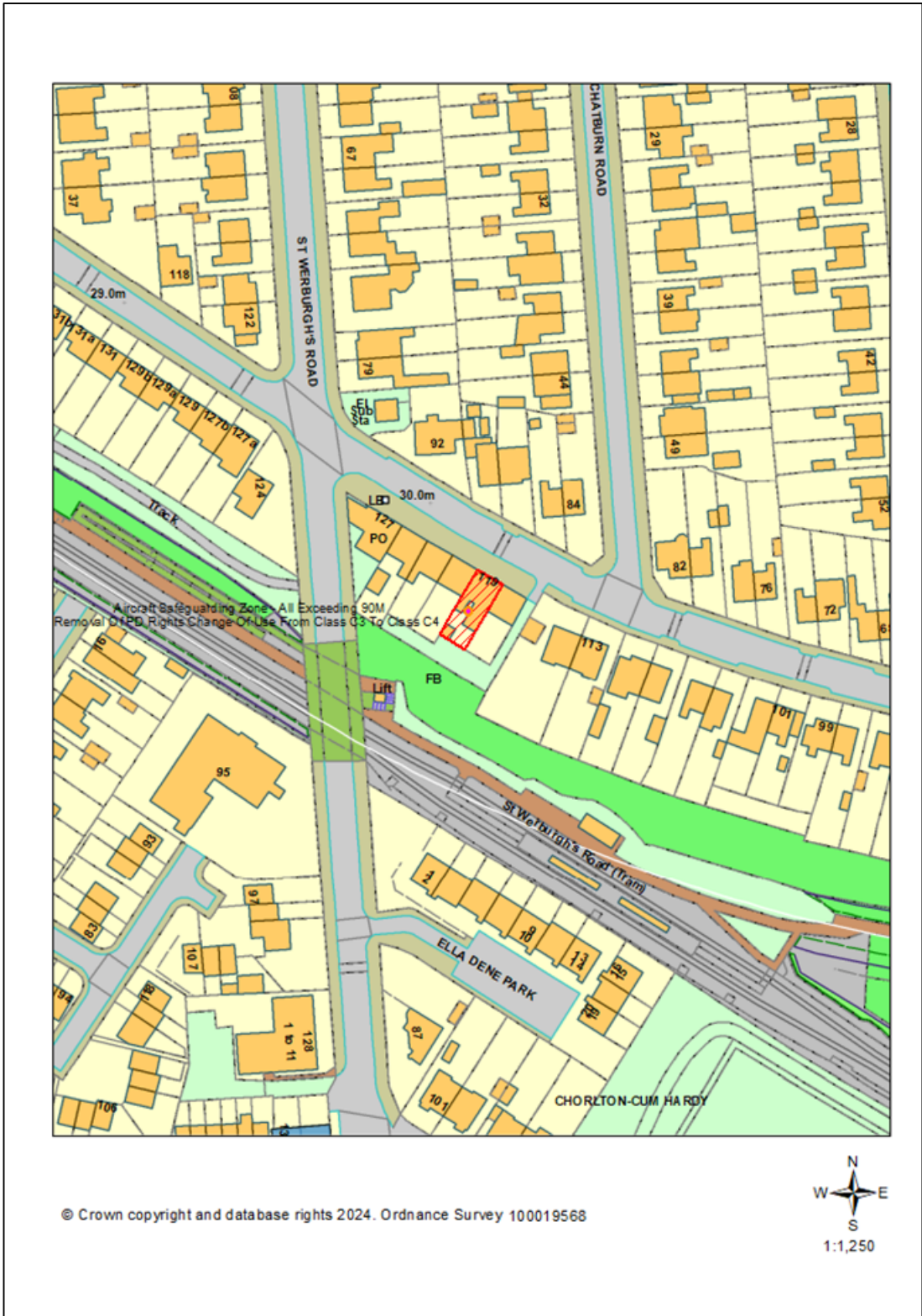
Tree Preservation Order: Not applicable



Figure 1. Street scene (property with blue fascia)

Description of area

The property is located in a mostly residential part of Manchester's Chorlton Park ward. The property site backs onto Transport for Greater Manchester property and Metrolink line.



Description of development

The applicant is proposing the change of use from shop with associated living accommodation above to shop and four bed self-contained flat, with associated elevational alterations to create separate entrance to self-contained flat.

The proposal adds a new ground level entrance to the front façade to allow the first floor flat to be self-contained and have a separate street entrance.

The proposed dwelling would feature a kitchen living area on the ground floor and 4no bedrooms on the first floor.

The total floorspace of the dwelling is 99m².



Planning History

138636/P3MA/2023

Description: Prior Approval application for the conversion of part of the ground floor and first floor into self contained flat

Decision: Withdrawn 14/12/2023

ENF/14114/18

Description: Enforcement Enquiry - Erection of a canopy

Decision: Resolved 13/11/2018

ENF/13517/17

Description: Enforcement Enquiry - Erection of a veranda to the front of the premises

Decision: Pending consideration.

ENF/09701/09

Description: Enforcement Enquiry - Erection of a canopy to the front of the shop

Decision: Resolved 27/07/2012

34559

Description: Single storey rear extension of shop to form kitchen and lounge

Decision: Approved 08/09/1989

Consultations & Notification Responses

Consultations

Manchester City Council Environmental Health

Manchester City Council Environmental Health were consulted on this application.

They had no comments or objections to make.

Transport for Greater Manchester

Due to the proximity of the site to TFGM property, TFGM were consulted.

They had no comments to make on this proposal.

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.

Policies & Principle

Summary of relevant policy

Applications for planning permission must be assessed against the local development plan, unless there are important reasons not to, as stated in planning law.

In considering this application, we consider the following policies relevant.

Local

- [The Manchester Core Strategy Development Plan Document 2012-2027](#) The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and is used to review development applications. We consider the following Core Strategy Policies relevant to this proposal.
 - DM 1 - Development Management
 - SP 1 - Spatial Principles
 - EC 2 – Existing Employment Space
 - EC 9 – South Manchester
 - H 1 – Overall Housing Provision
 - H 6 – South Manchester
 - EN 1 - Design Principles and Strategic Character Areas
 - EN 19 - Waste
- [Extant Unitary Development Plan \(UDP\)](#) - The Core Strategy replaced most of the UDP. However, some UDP Development Control policies are still in effect. The following extant policy are still considered relevant to this proposal.

- DC7 - New Housing Development
- DC26 - Development and Noise

Regional

- [Places for Everyone Plan](#) - The Places for Everyone Plan is a strategic plan for nine of the 10 boroughs in Greater Manchester. Once Manchester adopts the Places for Everyone Plan, it will become part of the city's development plan.

National

- [The National Planning Policy Framework \(The NPPF\)](#) - The Government released the NPPF on March 27, 2012, and updated it on September 5, 2023. Here, you can find the government's planning policies for England. It also explains how to apply them. We consider the following sections relevant to this proposal.
 - Section 4 – Decision-making
 - Section 5 – Delivering a sufficient supply of homes
 - Section 6 – Building a strong, competitive economy
 - Section 12 – Achieving well-designed places

Principle of the development

The proposal's principle is acceptable. No factors in amenity terms would warrant refusal.

After careful consideration, it is concluded that the proposed development aligns with the Manchester Core Strategy, Extant UDP, and the NPPF. This conclusion is based on the assessment in the sections that follow.

The Manchester Core Strategy Development Plan (2012-2027)

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

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 applicant is seeking the change of use from shop with associated living accommodation above to shop and four bed self-contained flat, with associated elevational alterations to create separate entrance to self-contained flat.

The new addition is designed to match the style and features of the current building.

The new entrance would sit in line with the existing shopfront and provide separate access for the flat.

The conversion in itself could be made under prior approval though the Part 3 Class MA provision of the GPDO. The application has been made as a full planning application due to the new access created to the front elevation. The new front access is preferred for this kind of conversion.

Officers consider the new development to be acceptable 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.

The proposal can be seen from the street however the scale and use of materials would minimise any effect to the street scene especially when seen in context.

The proposed development won't significantly change the area's character, so its appearance is acceptable.

In general, the proposed development has little impact on the surrounding areas. The design, scale, and appearance are all in line with the development management principle.

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

The proposal adds 1 no door in the front of the building. It doesn't affect privacy as there are other windows to this elevation.

The proposal is expected to have a negligible effect on Air Quality.

The proposal in of itself has a negligible effect on local noise levels. We understand that demolition and construction can be loud and disruptive to the local residents. Contractors should use construction guidance to reduce emissions and minimize disruptions for residents.

The proposal is expected to have negligible effect on road safety and traffic generation.

To ensure the effects on residential amenity created by the added comings and goings are minimised and pursuant to the Core Strategy, a condition has been added to restrict the residential usage to a Class C3(a) use type for use as a family dwelling rather than a house of multiple occupancy (HMO).

Overall, the proposal has a negligible impact on privacy, light, noise, air quality, and other factors. So, it follows this principle of development management.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The proposal adds a ground floor access to the front of the building for separate access into the flat.

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

Adequacy of internal accommodation and external amenity space.

The proposal adds space inside the property with minimal effect to the outdoor area.

This follows the development management principle.

Refuse storage and collection.

The proposal itself has little minimal impact of waste on site. The applicant provided a standard waste proforma outlining the separate residential waste and an updated plan to show the bin storage.

We recognize that demolition and/or construction works often generate commercial waste. We expect contractors to follow best practices in waste management.

The proposal is in accordance with this development management principle.

Vehicular access and car parking

The proposal doesn't change how vehicles access and park at the property, so it follows the 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.

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 negligible impact on green infrastructure and balances development with existing 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.

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'.

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

EC 2 – Existing Employment Space

This policy explains how to improve and protect current places where people work.

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

EC 9 – South Manchester

This policy outlines the principles for employment opportunities in South Manchester.

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

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.

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

H 6 – South Manchester

This policy outlines the strategy for housing provision in South Manchester in particular.

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

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’.

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.

The proposal itself has little minimal impact of waste on site. The applicant provided a standard waste proforma outlining the separate residential waste and an updated plan to show the bin storage.

Environmental Health accepted the proposal.

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.

DC7 - New Housing Development

This policy seeks to ensure that disabled people have access to new developments, so that they are not disadvantaged, and developments containing family homes are expected to be designed to be safe areas within which children can play.

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

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

You can view the Inspectors' Report on the GMCA's website at [Places For Everyone - Greater Manchester Combined Authority \(greatermanchester-ca.gov.uk\)](https://greatermanchester-ca.gov.uk/places-for-everyone). In addition, a hard copy is available in Manchester Central Library, St Peters Square, Manchester M2 5PD between 9am - 8pm Monday to Thursday and 9am - 5pm Friday and Saturday.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, 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 National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 5 - Delivering a sufficient supply of homes

Section 5 of the NPPF outlines the need to deliver a sufficient supply of homes.

Section 6 - Building a strong, competitive economy

Section 6. of the NPPF outlines the development management principles to help create the conditions in which businesses can invest, expand, and adapt.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

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 \(2020\)](#)
- [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

We find the proposal's design, size, and appearance acceptable for this location. It won't harm nearby properties or the street's character. There are no other material considerations of enough weight to say otherwise. Due to these reasons, the proposal is not likely to have a negative impact. It aligns with the relevant Core Strategy, Extant UDP, NPPF policies, and other material considerations.

Recommendation: Approve

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner. We assessed the proposal with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan, and other material considerations. No significant problems have arisen during the consideration of this application.

Condition(s) to be attached to decision for approval

1. 3-year time limit

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. Specified plans

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

- a. Drawing - Location Plan 20 Dec 2023
- b. Drawing - Existing & Proposed 12 March 2024 119 egerton road south floor plan revised
- c. Waste Management 09 Jan 2024

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

3. Specified materials

The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

4. Waste management

The secure bin store for the storage of waste containers, including segregated and recyclable waste, as listed with the drawings above and noted on the waste management proforma, shall be implemented prior to the first use of the extension hereby approved

and thereafter retained and maintained, in perpetuity. For the avoidance of doubt commercial and residential waste should be segregated at the property.

Reason - In the interests of residential and visual amenity pursuant to saved policy DC1 of the Unitary Development Plan for Manchester and policies SP1 and DM1 of the Core Strategy for Manchester

5. Class C3(a) restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) the residential part of the property shall be used for no purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). For the avoidance of doubt, this is use by a single person or by people living together as a family.

Reason - In the exceptional circumstances of a proliferation of Houses of Multiple Occupancy (HMO) and short term lets restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Transport For Greater Manchester

121 Egerton Road South, Manchester, M21 0XN

121A Egerton Road South, Manchester, M21 0XN

84 Egerton Road South, Manchester, M21 0XL

88 Egerton Road South, Manchester, M21 0XL

86 Egerton Road South, Manchester, M21 0XL
117A Egerton Road South, Manchester, M21 0XN
90 Egerton Road South, Manchester, M21 0XL
117 Egerton Road South, Manchester, M21 0XN

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA