

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138915/FO/2023

Date registered valid: 29 December 2023

Proposal: Change of use from hot food takeaway with residential accommodation above to 2 x 3 bed self-contained flats with associated elevational alterations, installation of rear roof dormer and provision of car parking and refuse storage to the front.

Address: 304 Parrs Wood Road, Manchester, M20 6JY

Ward(s): Didsbury East Ward

Applicant: Mr Pei Jian Hei

Agent (if any): Mr William Hei, Studio Hei Architects

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 February 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 12 January 2024

Standard consultations: Printed: 9 January 2024 Expired: 30 January 2024

Neighbour notifications: Printed: 9 January 2024 Expired: 30 January 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached redbrick building with a red concrete tile dual pitch roof. The property features white uPVC windows, a tarmac front driveway with no boundary treatment, a two-storey rear outrigger, and a single storey rear extension with no meaningful outdoor amenity space. At ground floor level, the property is currently in use as a hot food takeaway (Sui Generis) whilst its upper floor houses residential accommodation. The applicant now seeks to convert both floors back to residential use, with provisions for 2no. 3-bedroom self-contained flats (Class C3).



Figure 1. Principal elevation.



Figure 2. View along the side of the property.



Figure 3. View of existing single storey rear extension (and lack of outdoor amenity space).

Description of area

Parrs Wood Road is a residential street situated within the Didsbury East ward of Manchester, close to Fog Lane Park, Kingsway (A34), and Burnage railway station. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the change of use from hot food takeaway (Sui Generis) with residential accommodation above to 2no.3-bed self-contained flats (Class C3) with associated elevational alterations, installation of a rear roof dormer and provision of car parking and refuse storage to the front.

Planning history

F/AD00227 - Illuminated double sided box sign situated on front elevation of hot food shop, projecting over highway – **REFUSED** (03.09.1974).

067626/FO/SOUTH2/03 - Erection of single storey rear extension to form store and food preparation area – **APPROVED** (26.05.2003).

067555/JO/SOUTH2/03 - Variation of Condition 2 on Approval TP54114 in order to allow opening on Sundays and Friday nights until midnight – **REFUSED** (19.09.2003).

Consultations & Notification Responses

One letter of objection was received from one local resident in response to this application. Their concerns are summarised as follows:

- Opposition to the rear roof dormer only.
- Would overlook the gardens of neighbouring properties.
- Concerns relating to the growth of ivy present on the property's single-storey rear extension with a lack of adequate maintenance.

Highways made no objection to the proposal, with comments made in relation to the proposal's trip generation and junction capacity, site accessibility, parking and access, cycle parking, refuse and servicing, and construction management. Conditions were requested in relation to the inclusion of electrical vehicle charging points within the proposal's design.

Environmental Health made no objection to the proposal, confirming the acceptability of the proposal's refuse provisions.

Policies

The following policies are considered relevant in the consideration of this application.

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN19 – Waste
- Policy H1 – Overall Housing Provision
- Policy H6 – South Manchester

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

Manchester – Residential Quality Guidance, 2017

- Appendix – Manchester’s Emerging Space Standards

The Places for Everyone Plan is a Joint Development Plan Document, providing 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 to the Plan. The Examination of the 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 are 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.

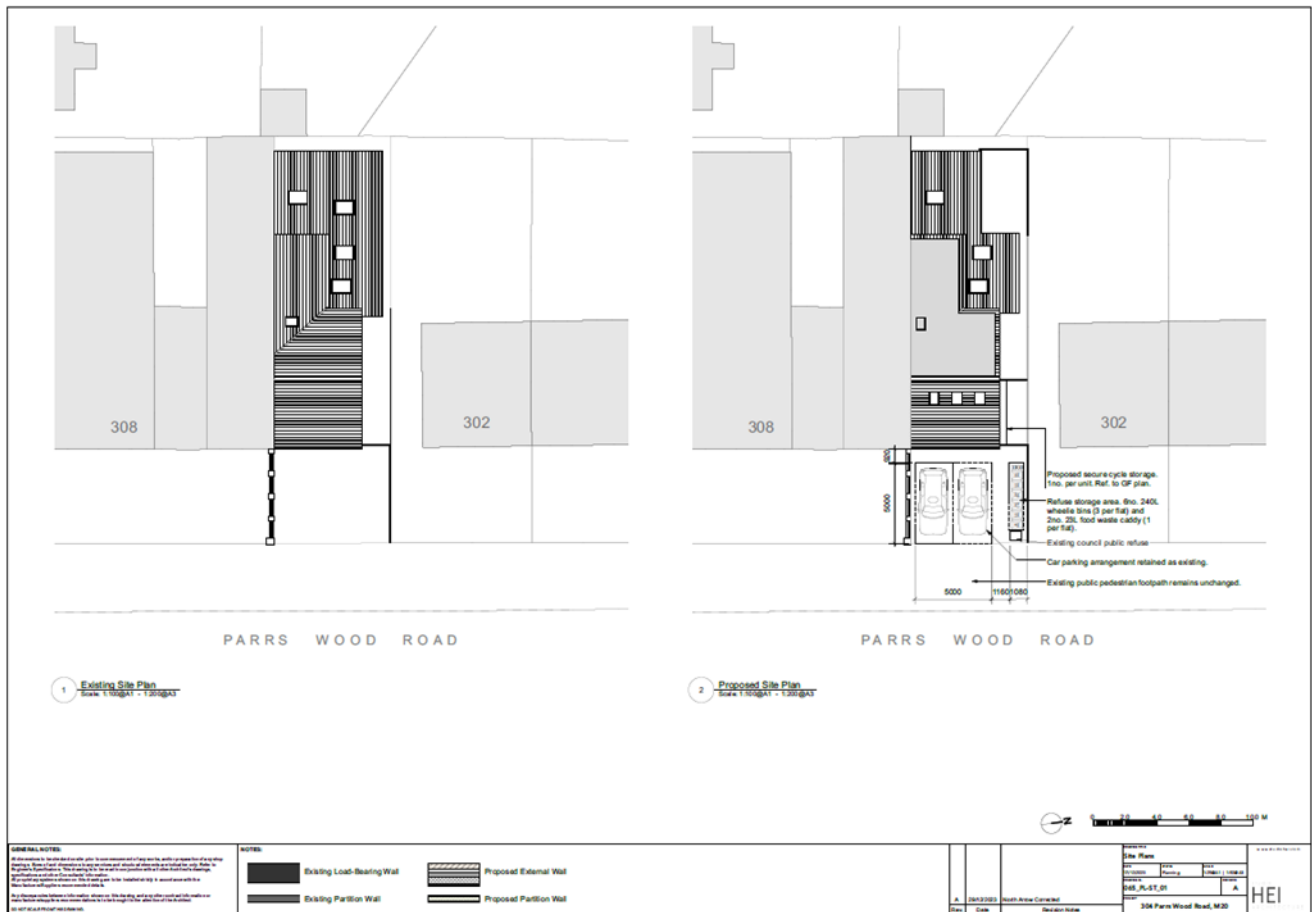


Figure 4. Submitted existing and proposed site plans.

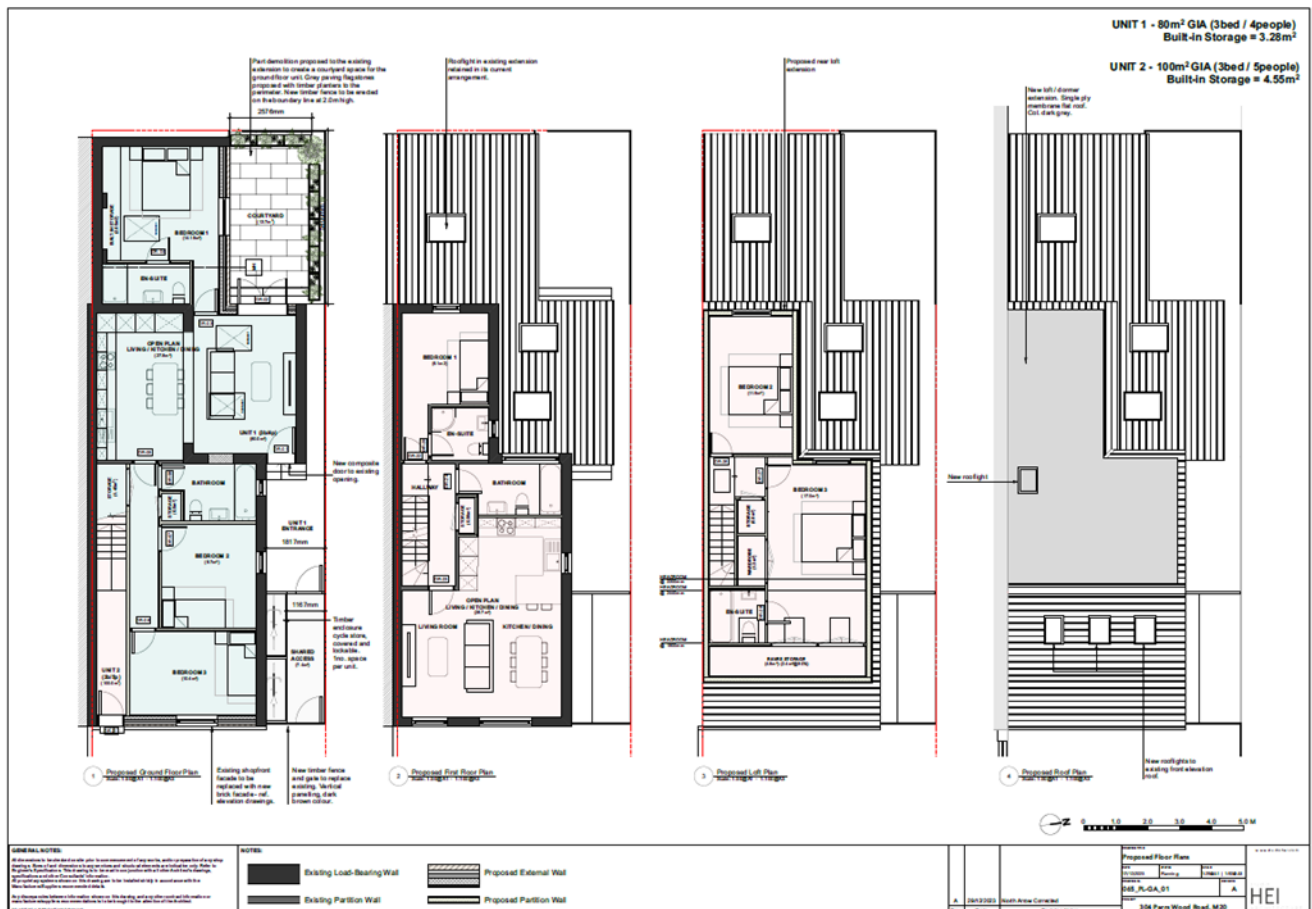


Figure 5. Submitted proposed plans.

Issues

Principle – the principle of the proposal, to change the use of the property from a hot food takeaway with residential accommodation above (Sui Generis) to 2no. 3-bedroom self-contained flats (Class C3), is acceptable given that this would increase the availability of residential accommodation in this area as well as being sympathetic to the existing residential character of the neighbourhood, in accordance with policies H1 and H6 of the Core Strategy. However, consideration must be given to the proposal's standard of accommodation as well as its siting, scale and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, and parking.

Standard of accommodation – the proposed ground floor of the property, housing residential unit 1, would have a gross internal floor space of 80 square metres, providing three bedrooms, one ensuite bathroom, one shared bathroom, and an open plan living / kitchen / dining area. A total of 3.28 square metres of built-in storage space would be included, with a 13.7 square metre shared external courtyard space. Unit 1 would have access to 1no. car parking space to the front of the property, 1no. cycle storage space to the side and 3no. 240L refuse bins and 1no. 23L food caddy to the front. Access to unit 1 would be available along the northern side of the property.

The proposed first floor and loft space of the property would house residential unit 2, with a gross internal floor space of 100 square metres, providing one bedroom, an ensuite bathroom, a shared bathroom, and an open plan living / kitchen / dining space at first floor level, and two bedrooms and an ensuite bathroom within the loft space. A total of 4.55 square metres of built-in storage space would be included. Unit 2 would not have access to the proposed external courtyard space to the rear, however, due to its close proximity to Fog Lane Park, this is considered acceptable. Unit 2 would also have access to 1no. car parking space to the front of the property, 1no. cycle storage space to the side and 3no. 240L refuse bins and 1no. 23L food caddy to the front. Access to unit 2 would be available via the front entrance to the building, facing Parris Wood Road.

The provisions specified above are considered to offer an acceptable standard of accommodation for the property's future occupants with the property also providing sufficient access to both light and airflow as windows are featured to the front, side, and rear at ground, first and second floor level.

The proposal is therefore considered to accord with policies DM1, SP1, H1, and H5 of the Core Strategy.

Siting, scale, and massing – the proposal also includes the installation of an L-shaped dormer to the rear of the property, occupying the main rear slope and outrigger slope of the property, providing an additional volume of approximately 43.1 cubic metres. Within the main roof slope, the dormer would be set 0.272m below the existing ridge line, projecting 3.911m rearwards, with a width of 5.325m, height of 2.356m and would leave a gap of approximately 0.326m to the eaves. The portion of the dormer which would extend onto the property's outrigger roof slope would project 8.562m rearwards, with a width of 3.03m and height of 2.863m. This portion of the dormer would also be set 0.272m below the ridge line of the main roof, however, would extend 0.836m above the ridge line of the outrigger roof. A gap of approximately 0.301m would be maintained to the eaves. The proposed dormer would also leave a gap of 0.173m to the property's northern roof edge, a gap of 0.25m to the end of the property's outrigger and would be sited along the boundary shared with No.306 Parris Wood Road.

Overall, the siting, scale and massing of the proposal is considered acceptable as the rear dormer is understood as being subservient to the application property in terms of its dimensions and would not result in an 'excessively large or bulky' addition.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the rear dormer extension would be clad in dark brown horizontal composite panels, with a dark grey single ply membrane flat roof and white uPVC windows. Its side elevations would be blank and featureless, whilst its rear elevation would feature two windows, one of which (sited on the main roof slope of the property) would feature a Juliet balcony. Its flat roof would feature one flat skylight.

The proposal is relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the overall precedent of extensions in this locale. Sited at the rear of the property, the rear dormer would not be visible within the street scene or public realm and, as such, would have a limited effect upon the visual amenity of the area. Hence, the overall character of the property and its surrounding area should not be significantly harmed by these works.

The design and appearance of the proposed dormer therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Residential amenity – due to the siting, scale, and orientation of the proposal, it is not considered that the proposed dormer would cause undue harm to residential amenity in terms of loss of light, overshadowing, overlooking, or loss of privacy, particularly given that its only windows are to be rear-facing.

It is acknowledged that concerns were raised in relation to the rear dormer's potential to overlook neighbouring gardens and properties, thus infringing upon the privacy of neighbouring occupiers. However, it is considered that, due to their setback from the eaves, the dormer's rear facing windows would provide no further degree of overlooking than any existing rear windows at first floor level and, as such, should not compromise the privacy of neighbouring occupiers to the degree that would warrant refusal of this application.

Overall, the proposal is also likely to result in a decrease in the number of comings and goings to the property, as visits to the ground floor hot food takeaway would cease. The proposal is therefore likely to incur a positive effect on the area's residential amenity, as it would reinforce the residential character of the neighbourhood and would lead to a reduction in potential noise disturbance and activity.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy.

Waste management – each residential unit would have access to 3no. 240L refuse bins and 1no. 23L food caddy which would be stored to the front of the property.

In their feedback, Environmental Health confirmed the acceptability of these arrangements, making no objection to the proposal.

A condition has been attached to the application requiring the applicant to submit details of a secure, screened bin store (to the front of the property) prior to the first use of the development so as to safeguard the visual amenity of the area.

Parking – each residential unit would have access to 1no. car parking space to the front of the property, equating to a provision of 67%. Highways made no objection to this.

Highways requested that the provision of an electrical vehicle charging point (minimum 7kW) is included in the proposal. However, as this is not a newbuild proposal, the application site may not have the necessary infrastructure and provisions available to support electric vehicle charging at this location. As such, no condition has been attached.

Each residential unit would have access to 1no. cycle storage space to the side of the property, providing a 1:1 provision. Highways confirmed their acceptance of this.

Other matters – the proposal also includes a number of other alterations. These are listed below:

- Partial demolition of the existing single storey rear extension to allow for the creation of the proposed external courtyard space for residential unit 1 (measuring to 13.7 square metres). *This is acceptable given its minimal impact upon the visual and residential amenity of the area as well as its clear benefits to the application property's future occupiers.*
- To the property's front elevation: removal of the existing shopfront, replacing it with brickwork to match the existing and one white uPVC ground floor window. Replacement of the existing front door with a 4-panel dark grey door with glazed overhead panel. Three new flat skylights to be installed on the front-facing roof slope. *These alterations would improve the visual amenity of the area as the property's appearance would become more in-keeping with the surrounding dwellinghouses, thus reinforcing the residential character of the area.*
- To the property's rear elevation: all windows to be replaced with like-for-like white uPVC double-glazed windows. Following the creation of the external courtyard space, installation of a set of outward-opening patio doors with surrounding brickwork to match the existing. *These alterations are considered acceptable given their minimal impact upon the visual and residential amenity of the area as well as their clear benefits to the application property's future occupiers.*
- To the property's northern side elevation (facing No.302 Parrs Wood Road): all metal extract flues to be removed. Existing windows to be replaced with white uPVC double-glazed windows. Installation of three new ground floor windows (conditioned to be obscurely glazed so as to protect the residential amenity of neighbouring occupiers). *These alterations are considered acceptable as they would reinforce the residential character of the area through the removal of the existing extract flues. Moreover, with the addition of an obscure-glazing condition, these alterations are not considered to cause undue harm to the visual or residential amenity of the area.*
- 2no. timber screened (vertical battens, dark brown timber with sliding panels) cycle stores to be installed along the northern side of the property, measuring to 1.6m in height. *Highways have confirmed the acceptability of these provisions.*
- 2m-high timber panel fencing to be installed to the rear of the property, enclosing the external courtyard space, providing privacy to the property's occupiers. *This alteration is able to be undertaken under permitted development rights and, as such, is considered acceptable. Further concerns or issues that may arise in association with the proposed works to the party wall / boundary would be regarded as civil legal matters between the parties that should be dealt with under separate legislation (e.g., the Party Wall Act,*

1996) and would not represent material considerations of Manchester City Council Planning.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, standard of accommodation, siting, scale and massing, appearance, impact upon visual and residential amenity, waste storage and parking as it broadly complies with policies DM1, SP1, EN19, H1 and H6 of the Core Strategy and chapter 12 of the NPPF.

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. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

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

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

- 'Site Plans', numbered '065_PL-ST_01 REV A', stamped as received by the City Council as Local Planning Authority on the 29th December 2023.

-‘Proposed Elevations’, numbered ‘065_PL-GE_01 REV A’, stamped as received by the City Council as Local Planning Authority on the 29th December 2023.
-‘Proposed Floor Plans’, numbered ‘065_PL-GA_01 REV A’, stamped as received by the City Council as Local Planning Authority on the 29th December 2023.
-‘Proposed Sections’, numbered ‘065_PL-GS_01’, stamped as received by the City Council as Local Planning Authority on the 27th December 2023.
-‘Design and Access Statement’, stamped as received by the City Council as Local Planning Authority on the 27th 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 Manchester Core Strategy (2012).

3) The materials to be used on the external surfaces of the developments hereby permitted shall match those specified on the submitted application form and approved plans.

Reason - To ensure the appearance of the site to be developed is not adversely affected by the materials to be used in the construction of the developments, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation the proposed windows in the side elevation, facing No.302 Parrs Wood Road, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) Order 2015 (or any revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the development 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.

6) Prior to the first use of the development hereby approved, details of a secure, screened and ventilated bin store shall be submitted to approved in writing by the City Council as Local Planning Authority.

The approved bin store shall be implemented and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

7) 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) no part of the development shall be used for any 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).

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.

Informatives

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

306A Parrs Wood Road, Manchester, M20 6JY
313 Parrs Wood Road, Manchester, M20 6JZ
306 Parrs Wood Road, Manchester, M20 6JY
302 Parrs Wood Road, Manchester, M20 6JY
10 Culbert Avenue, Manchester, M20 6HB
311 Parrs Wood Road, Manchester, M20 6JZ
309 Parrs Wood Road, Manchester, M20 6JZ
119 Catterick Road, Manchester, M20 6HD
8 Culbert Avenue, Manchester, M20 6HB

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: SOUTH AREA