MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138888/VO/2023
Date registered valid:	4 January 2024
Proposal:	City Council Development for change of use from retail floorspace (Class E) within 1525 Ashton Old Road to dwellinghouse (Class C3) (in conjunction with 1 Gransmoor Avenue) together with associated elevational alterations.
Address:	1 Gransmoor Avenue & 1525 Ashton Old Road, Manchester, M11 1HR
Ward(s):	Clayton & Openshaw Ward
Applicant:	Mrs Yvette Ryle Manchester City Council
Agent (if any):	Mr Waseem Mahmood Jacobs UK Ltd
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**29 January 2024**

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 12 January 2024

Standard consultations: Printed: 4 January 2024 Expired: 25 January 2024

Neighbour notifications: Printed: 4 January 2024 Expired: 25 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 two properties – No.1 Gransmoor Avenue and No.1525 Ashton Old Road. No.1 Gransmoor Avenue is a two-storey mid-terraced C3 dwellinghouse of redbrick with a grey slate hipped roof. The property is currently in a state of dereliction with boarded up window openings and features an inset front porch, a modest front garden bordered by a mid-level redbrick wall, a front dormer window, and a rear garden. No.1525 Ashton Old Road consists of a ground floor retail unit, historically used as a small newsagents facility. The property features roller shutters and fascia signage to its Ashton Old Road frontage as well as a private forecourt area. The applicant now seeks to change the use of this unit to residential, in association with the refurbishment of No.1 Gransmoor Avenue.



Figure 1. No.1 Gransmoor Avenue.



Figure 2. No.1525 Ashton Old Road.



Figure 3. No.1525 Ashton Old Road.



Figure 4. Existing boundary treatment.



Figure 5. Gransmoor Avenue.

Description of area

Gransmoor Avenue is a residential cul-de-sac situated within the Clayton & Openshaw ward of Manchester, close to Ashton Old Road / Manchester Road (A635), Delamere Park, and Fairfield 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

City Council Development for change of use from retail floorspace (Class E) within 1525 Ashton Old Road to dwellinghouse (Class C3) (in conjunction with 1 Gransmoor Avenue) together with associated elevational alterations.

Planning history

086428/MO/2008/N2 - RESERVED MATTERS APPLICATION for the external appearance and landscaping of scheme previously approved under application 071166/OO/2004/N2 for the erection of a 3 storey block to create 19 flats, including 1 flat in roof space with dormer, with associated car parking – **APPROVED** (06.08.2008).

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Highways made the following comments in response to the application:

- In comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such no highways concerns are expected.
- The site is well accessed by sustainable modes. Regular bus services are routed along Ashton Old Road and provides connections to Ashton-under-Lyne, Stalybridge, Broadbent Fold, Manchester City Centre and Littlemoss. Further bus stops are in place on Fairfield Road and provides connections to Dane Bank, Stockport, Manchester City Centre, Ashton-under-Lyne and Littlemoss.
- The closest Metrolink facility is located at Cemetery Road and provides connection to Ashton-under-Lyne and Eccles.
- The closest railway facility is located at Fairfield and provides connections to Manchester Piccadilly and Rose Hill Marple.
- There is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. Considering the site's location and proximity to sustainable travel offer, this is acceptable in principle.
- Highways are aware of on-street parking that currently occurs on Gransmoor Avenue and the limited parking opportunities in the local area due to parking restrictions.
- In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit.
- It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.
- The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.
- A refuse storage area is noted within the site. It is understood that bins will be collected from Ashton Old Road as per the existing arrangements. This is considered to be appropriate in ensuring no obstruction on the adjacent highway.
- 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).

Environmental Health made no objection to the proposal, requesting that a condition relating to construction hours as well as an NSE4 condition be attached to the decision notice so as to safeguard the amenity of future occupants in terms of noise disturbance and overheating.

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 H5 – East 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 6. Submitted proposed site and block plan.



Figure 7. Submitted proposed front elevation.



Figure 8. Submitted proposed side elevation.

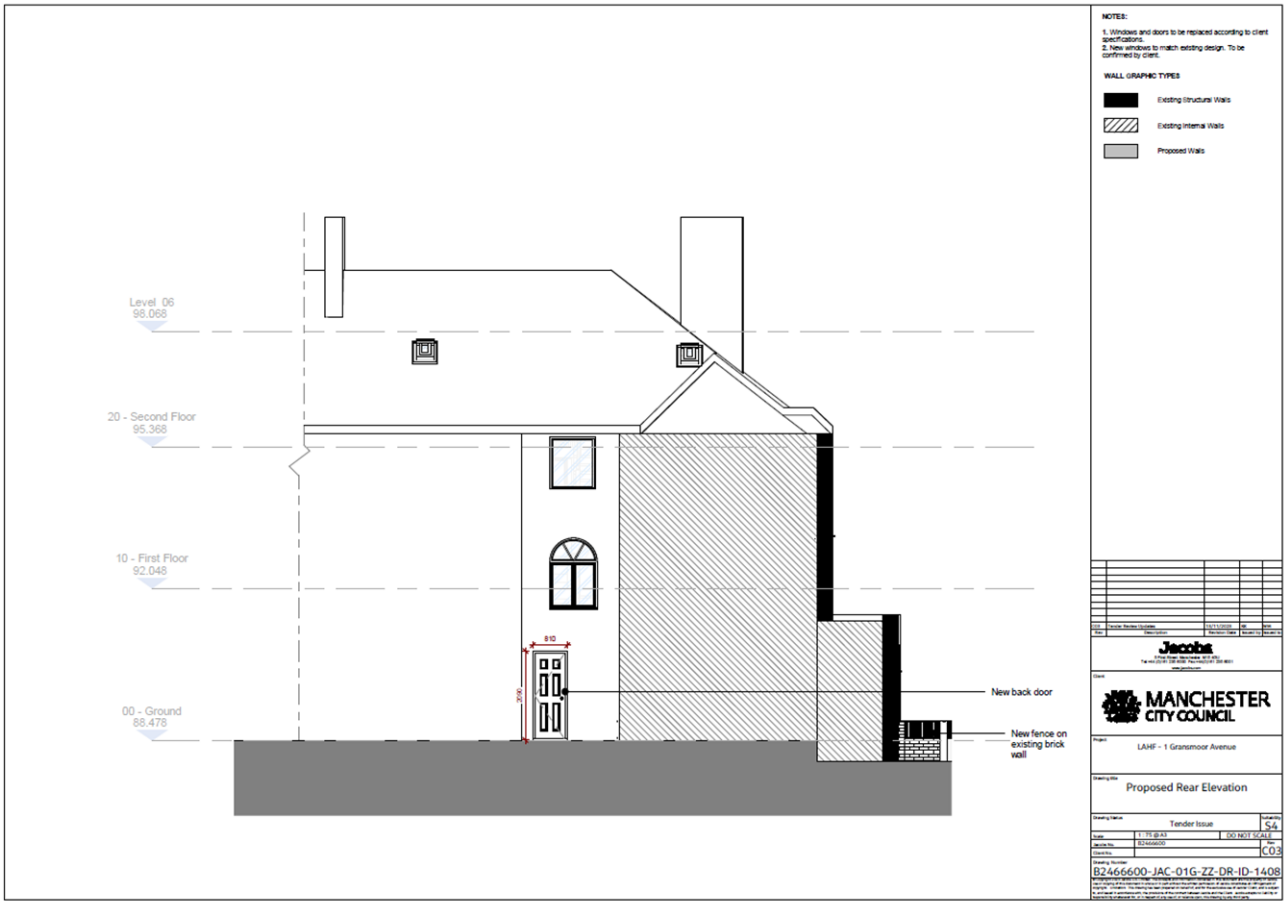


Figure 9. Submitted proposed rear elevation.

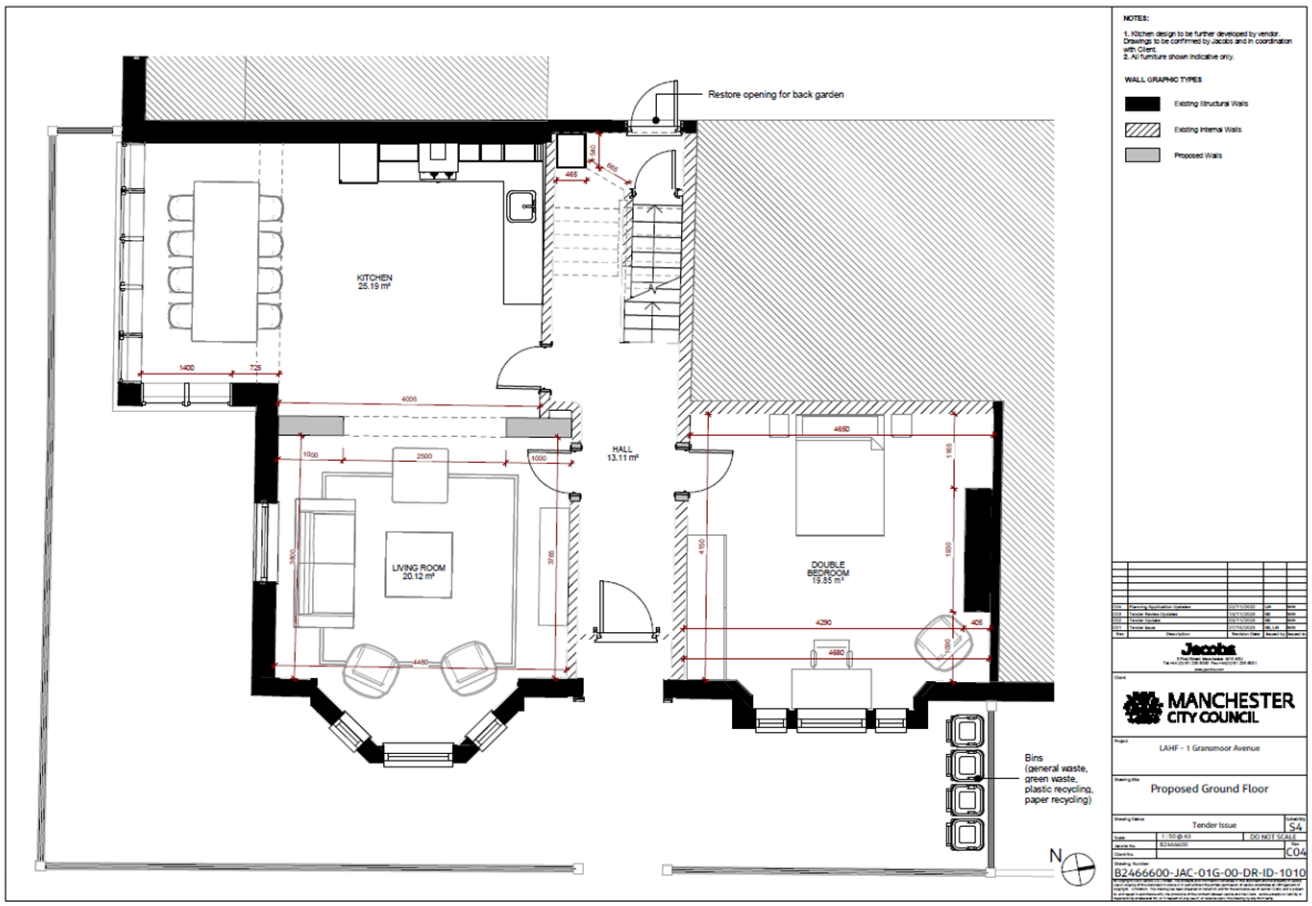


Figure 10. Submitted proposed ground floor plan.

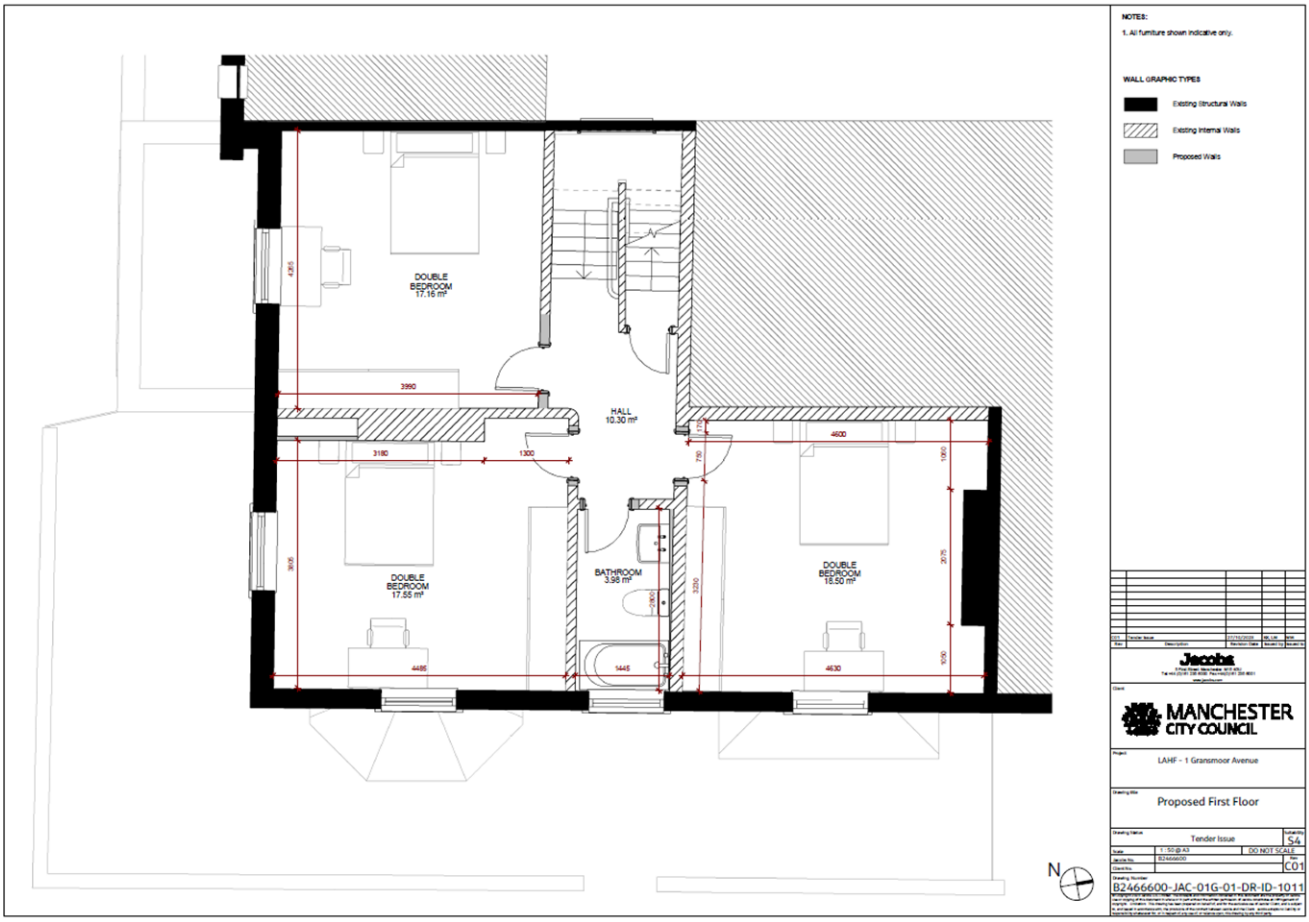


Figure 11. Submitted proposed first floor plan.

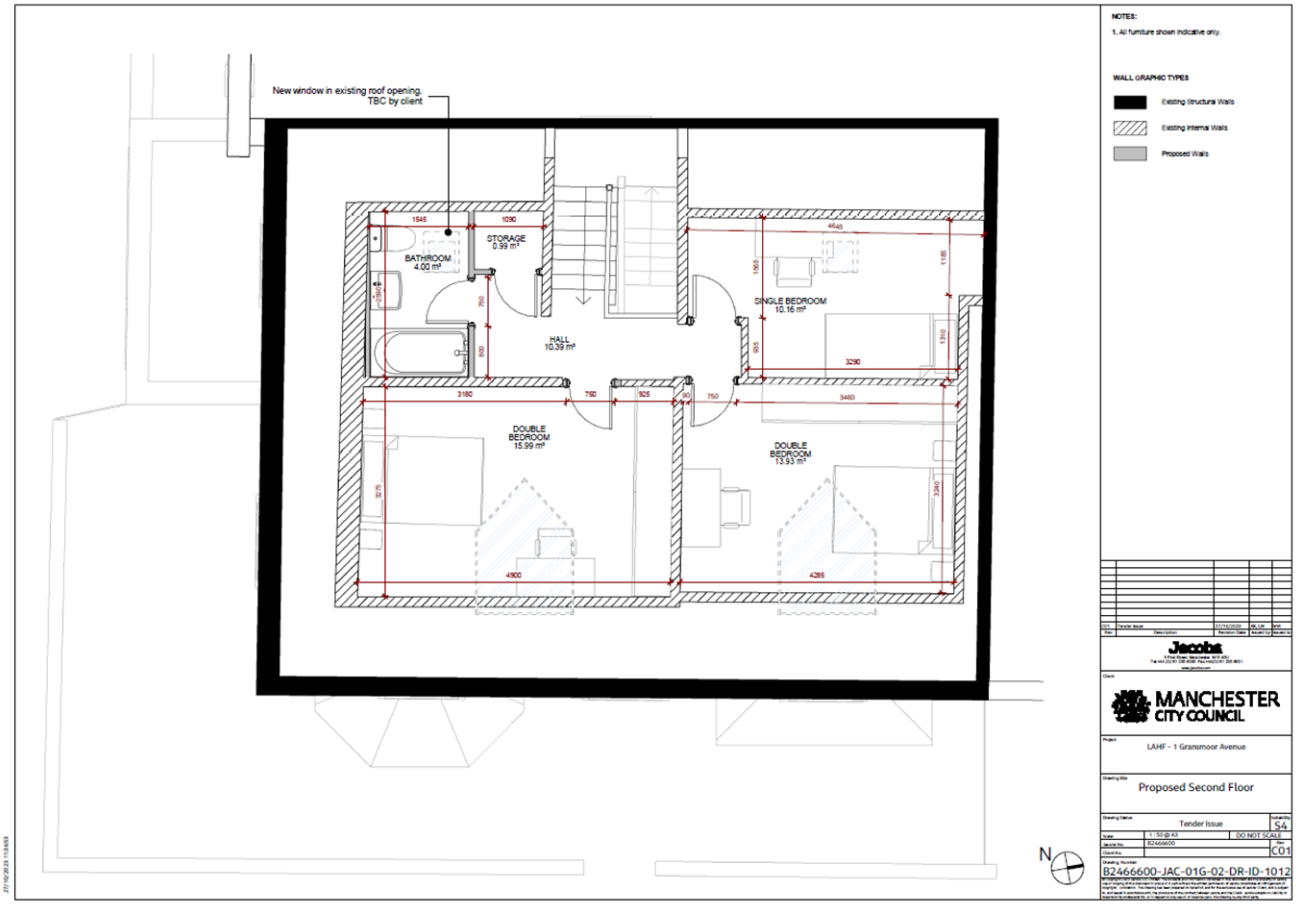


Figure 12. Submitted proposed second floor / loft plan.

Issues

Principle – the principle of the proposal, to change the use of No.1525 Ashton Old Road from retail floorspace (Class E) to a dwellinghouse (Class C3) in conjunction with the refurbishment of No.1 Gransmoor Avenue (together with elevational alterations), is acceptable given that this would improve the standard of accommodation offered by these properties as well as increasing the availability of family dwellinghouses in this area, in accordance with policies H1 and H5 of the Core Strategy. However, consideration must be given to the standard of accommodation as well as the proposal's siting, scale and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, and parking.

Standard of accommodation – there would be no alterations to the existing basement, which provides a gross internal floor space of 47.48 square metres.

The proposed ground floor of the property would have a gross internal floor space of 78.27 square metres, providing one double bedroom (19.85 square metres), a hallway (13.11 square metres), a living room (20.12 square metres), and a kitchen / dining space (25.19 square metres).

The proposed first floor of the property would have a gross internal floor space of 67.49 square metres and would provide three double bedrooms (18.5 square metres, 17.55 square metres, and 17.16 square metres), a bathroom (3.98 square metres), and a hallway (10.3 square metres).

The proposed second floor / loft of the property would have a gross internal floor space of 55.46 square metres and would provide a single bedroom (10.16 square metres), two double bedrooms (13.93 square metres and 15.99 square metres), a bathroom (4 square metres), a storage room (0.99 square metres), and a hallway (10.39 square metres).

Overall, the property would provide a gross internal floor space of 201.22 square metres, with 7-bedrooms (able to accommodate 13 persons), one kitchen / dining space, one living room, and two bathrooms. It would also feature a private outdoor amenity space measuring to approximately 39.71 square metres.

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 siting, scale, and massing of the property would be unaffected by the proposal as no extensions are proposed.

Appearance and visual amenity – a number of external alterations are proposed as part of the development. These are listed below:

At ground floor level, two windows are to be reinstated on the southernmost bay window, facing onto Gransmoor Avenue. This would have a positive impact upon the appearance of the property, improving the visual amenity of the area as well as the property's standard of accommodation in terms of access to light and airflow. It is therefore considered acceptable.

At ground floor level, one window is to be installed on the property's sideward projection (formerly No.1525 Ashton Old Road), facing onto Gransmoor Avenue. This would also have a positive impact upon the appearance of the property, improving the visual amenity of the area

as well as the property's standard of accommodation in terms of access to light and airflow. It is therefore considered acceptable.

On the Ashton Old Road frontage of the property, one window (consisting of five glazing panels) is to be installed along the former shopfront (No.1525 Ashton Old Road) at ground floor level. This would also have a positive impact upon the appearance of the property, improving the visual amenity of the area as well as the property's standard of accommodation in terms of access to light and airflow. It is therefore considered acceptable.

At ground floor level, one door is to be installed on the rear elevation of the property, facilitating access to the property's rear garden. This would have a minimal impact upon the visual amenity of the area as it would not be visible within the street scene or public realm. It is therefore considered acceptable.

No elevational alterations are proposed at first-floor level.

One flat skylight is to be installed on the rear-facing roof slope of the host dwellinghouse. This alteration is considered acceptable given its minimal impact upon the visual and residential amenity of the area.

The property's existing front (and side) boundary treatment is to be extended by 4.635m along the Ashton Old Road frontage of the site so as to form an enclosure around the former shopfront, increasing the site's security as well as improving its overall appearance. The boundary treatment would comprise of a redbrick wall (measuring to 0.45m in height along Gransmoor Avenue and 0.515m in height along Ashton Old Road), capped with permeable metal fencing (measuring to 0.425m in height), totalling 0.875m in height along Gransmoor Avenue and 0.94m in height along Ashton Old Road. This accords with Highways' guidance which stipulates that all fencing / railings adjacent to the adopted highway should be visually permeable from a distance off 600mm upwards to ensure adequate visual permeability for child pedestrians. This is therefore considered acceptable.

The proposal's impact upon the appearance of the property as well as its surrounding area is therefore considered acceptable, in accordance with policies DM1 and SP1 of the Core Strategy as well as chapter 12 of the NPPF.

Residential amenity – the proposal is likely to result in a decrease in the number of comings and goings to the property, as visits to the existing shop 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. Additionally, with no significant external alterations, the proposal is unlikely to give rise to issues associated with overshadowing, loss of light, loss of outlook, and loss of privacy. The NSE4 condition attached to the decision notice should also secure a reduction in noise from traffic and other sources, thus protecting future residents from noise disturbance as well as reducing the potential for overheating.

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

Waste management – the proposal includes limited information with regards to the property's waste management strategy. As such, a condition has been attached requiring the applicant to submit a completed waste management strategy proforma prior to the development's first use. This will ensure that adequate provisions are in place for managing the property's refuse, in accordance with policy EN19 of the Core Strategy.

Similarly, a condition has been attached requiring the applicant to submit details of a secure, screened bin store for approval in writing by the City Council prior to the development's first use.

This will help mitigate the visual harm caused to the street scene and public realm by storing the property's refuse bins at the front of the property, in accordance with policies DM1 and EN19 of the Core Strategy.

Parking – Highways have noted that the proposal does not include any on-site parking provisions, as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. Nonetheless, Highways have indicated that, given the site's location and proximity to sustainable transport facilities, this is acceptable in these circumstances.

Highways requested that the applicant provides details of a secure and sheltered cycle parking provision at a ratio of one-per-unit as part of the proposal. However, in these circumstances, it is considered that the application site provides adequate space for cycle storage within its rear garden. As such, no conditions relating to cycle provisions have been attached to the decision notice.

Loss of retail space – has been assessed and, given the application property's siting away from the city centre as well as its nearest district centre of Gorton, it is considered that the public benefits that would be experienced as a result of the proposal, in terms of increasing the supply and availability of family dwellinghouses in this area, would outweigh any harm caused by the loss of the aforementioned retail unit. The proposal is therefore considered acceptable in this regard.

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 policy DC1 of the UDP, policies DM1, SP1, EN19, H1 and H5 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 polices 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:

-'Application for Planning Permission', numbered 'PP-12612009', stamped as received by the City Council as Local Planning Authority on the 21st December 2023.

-‘Proposed Front Elevation’, numbered ‘B2466600-JAC-01G-ZZ-DR-ID-1406 REV C03’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed Side Elevation’, numbered ‘B2466600-JAC-01G-ZZ-DR-ID-1407 REV C03’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed Rear Elevation’, numbered ‘B2466600-JAC-01G-ZZ-DR-ID-1408 REV C03’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed Basement’, numbered ‘B2466600-JAC-01G-B1-DR-ID-1009 REV C01’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed Ground Floor’, numbered ‘B2466600-JAC-01G-00-DR-ID-1010 REV C04’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed First Floor’ numbered ‘B2466600-JAC-01G-01-DR-ID-1011 REV C01’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed Second Floor’, numbered ‘B2466600-JAC-01G-02-DR-ID-1012 REV C01’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed Section AA’, numbered ‘B2466600-JAC-01G-ZZ-DR-ID-1201 REV C02’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed Section BB’, numbered ‘B2466600-JAC-01G-ZZ-DR-ID-1202 REV C02’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed Section CC’, numbered ‘B2466600-JAC-01G-ZZ-DR-ID-1203 REV C02’, stamped as received by the City Council as Local Planning Authority on the 21st December 2023.
-‘Proposed Site & Block Plan’, numbered ‘B2466600-JAC-01G-ZZ-DR-ID-0003 REV C05’, stamped as received by the City Council as Local Planning Authority on the 3rd January 2024.

Reason – To ensure the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces of the development hereby permitted shall match those of the existing dwellinghouse in type, size, colour and texture.

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 development, 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) a) Prior to the first use of the development hereby approved, a scheme for acoustically insulating the proposed residential accommodation against noise from Ashton Old Road shall be submitted to and approved in writing by the City Council as Local Planning Authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved when providing adequate ventilation as defined by Approved Document F of the Building Regulations (whole dwelling ventilation):

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB LAmax,F by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

Higher internal noise levels than those specified above may be allowed when higher rates of ventilation are required in relation to the overheating condition.

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating.

5) Prior to the first use of the development hereby approved, a waste management strategy shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The approved details shall then be implemented as part of the development.

Reason - In the interests of amenity and public health pursuant to policy DM1 of the Core Strategy and to ensure that there are adequate waste storage receptacles for occupiers of the development.

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.

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).

2) Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council as Local Planning Authority:

Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

1524 Ashton Old Road, Manchester, M11 1HN
6 Gransmoor Avenue, Manchester, M11 1HR
Flat 1, 1518 Ashton Old Road, Manchester, M11 1HN
1520 Ashton Old Road, Manchester, M11 1HN
1512 Ashton Old Road, Manchester, M11 1HN
3 Gransmoor Avenue, Manchester, M11 1HR
Flat 3, 1518 Ashton Old Road, Manchester, M11 1HN
Flat 2, 1518 Ashton Old Road, Manchester, M11 1HN
1510 Ashton Old Road, Manchester, M11 1HN
1508 Ashton Old Road, Manchester, M11 1HN
8 Gransmoor Avenue, Manchester, M11 1HR
5 Gransmoor Avenue, Manchester, M11 1HR
2 Gransmoor Avenue, Manchester, M11 1HR
1522 Ashton Old Road, Manchester, M11 1HN
1516 Ashton Old Road, Manchester, M11 1HN
1514 Ashton Old Road, Manchester, M11 1HN
1525 Ashton Old Road, Manchester, M11 1GR
1523 Ashton Old Road, Manchester, M11 1GR
7 Gransmoor Avenue, Manchester, M11 1HR

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA