MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138516/FO/2023
Date registered valid:	20 November 2023
Proposal:	Change of use of first and second floor from 3 No. residential flats to 3 No. commercial office units Class E (g) together with the installation of a covered walkway and associated elevational alterations
Address:	758A Wilmslow Road, Manchester, M20 2DW
Ward(s):	Didsbury West Ward
Applicant:	Mr P Higginbottom, Didsbury Estates Ltd
Agent (if any):	Mr Ian Smart ips architects
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**31 January 2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 11 December 2023

Standard consultations:
Printed: 24 November 2023 Expired: 15 December 2023

Neighbour notifications
Printed: 24 November 2023 Expired: 15 December 2023

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 existing property consists of a retail unit and restaurant at ground floor with two-storey maisonette flats above on the first and second floors.
The building sits within the main retail area in Didsbury District Centre, which is made up of independent retailers and a mixture retailers, cafes, bars, restaurants and office uses, surrounded by residential properties.

The Proposal

The existing site consists of operating retail unit and restaurant at ground floor with three, two-storey maisonettes above, occupying the first and second floors. The wider site comprises of residential/commercial uses.

The proposed offices would be accessed from the existing staircase to the south of the property with a new covered walkway providing sheltered access to each of the new offices. Each office would be 2 storeys. The existing first floor courtyard is to be refurbished to provide a breakout space directly adjacent the office entrances. Internally, the existing maisonette dividing walls are to be retained while removing all other internal walls to provide 3 new, open plan office spaces. Combined with the enlargement/lowering of the windows.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representations were received.

Environmental Health-Supports the proposal subject to the further waste recycling information be provided and a condition has been added to the consent.

The Highways Team-Supports the proposal subject to a cycle storage condition be attached to the consent.

Didsbury Civic Society - Made no representation.

Issues

Issues
POLICY
UNITARY DEVELOPMENT PLAN SAVED POLICIES

E3.3 The council will upgrade the appearance of the city's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

DC26.1 The council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the city. In giving effect to this intention, the council will consider both

a) the effect of the new development proposals which are likely to be generators of noise and
b) the implications of new development being exposed to exiting noise sources which are effectively outside planning control

S1.2 The Council in partnership with the private sector will encourage, where appropriate, the improvement and re-development of existing District Centres in order to ensure that they remain the focus for both shopping and a full range of community facilities. These centres comprise Cheetham Hill, Chorlton, Didsbury, the district centre in Sportcity, Fallowfield, Gorton, Harpurhey, Levenshulme, Longsight, Newton Heath, Northenden, Openshaw, Rusholme, Withington and Wythenshawe. Particular emphasis will be given to improving safety and enhancing environmental quality, tackling traffic problems and increasing economic viability. Priority will be given to following centres:- Cheetham Hill, the district centre in Sportcity, Gorton, Harpurhey, Levenshulme, Longsight, Newton Heath, Openshaw, Wythenshawe.
Elsewhere, more limited measures will be taken to improve conditions for pedestrians especially those with restricted mobility, visual impairments or shopping with young children. Where possible further off street car parking will be provided as part of achieving these ends.
New development will be particularly welcome where it replaces obsolete shopping floorspace and is in keeping with the character of the existing centre.

National Planning Policy Framework

Sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:

o An economic role - contributing to build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;
o A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and
o An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

Pursuing sustainable developments involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure, and
- widening the choice of high quality homes.

There should be a presumption in favour of sustainable development and plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Improve access to jobs, services and employment.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Policy C6 South Manchester District Centres -

South Manchester District Centres - Chorlton, Didsbury, Fallowfield, Levenshulme and Withington Across the area there is capacity for both further convenience and comparison retailing floorspace. In total, approximately 8,000 square metres of convenience and 4,500 square metres of comparison retail floorspace will be promoted up to 2027. Identified capacity will be directed to Chorlton centre to support more sustainable shopping patterns, with enhanced provision also promoted in Levenshulme. Redevelopment in Chorlton will provide a In other centres in South Manchester more moderate expansion of retailing and otherservices will be supported, appropriate in scale to the role and function of the centre. In Didsbury, redevelopment opportunities for new development within and on the edge of the centre will be supported, provided they will enhance the range and quality of retail and dining and complement the overall character of the centre.

The role of the independent retail sector in Chorlton, Didsbury and Levenshulme will be supported.

With reference to the Manchester-Salford-Trafford SFRA and other relevant documents

o Development should avoid any adverse impact on water quality, including during the construction phase, and wherever possible should seek to enhance water quality, both chemical and ecological;
o Development should minimise surface water run-off from development and associated roads, and maximise the use of appropriate sustainable drainage systems, to minimise groundwater contamination, and to avoid pollutants reaching watercourses;
o Development close to a watercourse should also ensure that waste or litter cannot enter the watercourse from the site;
o Development should, where feasible and appropriate, seek to open up any culverted or hidden watercourse beneath the site to improve the ecological status of that watercourse

Principle

The principle of the development is acceptable, given the site lies within the Didsbury District Centre which identifies retail uses and other services will be supported, appropriate in scale to the role and function of the centre. Policy C6, of the Core Strategy for Manchester states, 'in Didsbury, redevelopment opportunities for new development within and on the edge of the centre will be supported, provided they will enhance the range and quality of retail and dining and complement the overall character of the centre'. The implementation of commercial Office uses contribute to the mix of uses within the district centre, in accordance with Policy C6. This part of the district centre is dominated by similar, businesses and is identified within policy C6 as being suitable uses which generate a high level of employment. However, the proposal in terms of its residential and visual impact will be discussed in the recommendation below.

Further issues are outlined below.

Residential Amenity

Due to the position of the nearest residential neighbourhoods and the context of the site's immediate surroundings which is dominated by commercial uses, it is not believed that there would be any significant, adverse effect upon the living conditions of nearby occupiers in terms of increased activity and any associated noise and disturbance. Any impact can be mitigated though the use of planning conditions to control hours of use. A condition has therefore been included in this regard.

Visual Amenity

The proposals seek to convert the first and second floor maisonettes into office space to bring diversity to the retail centre. As part of the conversion, it is proposed to lower the windowsills to provide additional internal daylight and to reflect the windows on the neighbouring properties. To the rear, a new covered walkway will be installed to provide shelter for workers accessing the office space. In order to provide some amenity/break out space for the occupiers, the existing courtyard/terrace/roof area is to be decked with millboard or similar decking material to improve the visual appearance with outdoor seating for workers to utilise. Localised planters are to be introduced to provide some greenery to the space with new timber screening to provide some natural materials amongst the masonry structure. The elevation alteration are considered to be acceptable as they do not detract from the architecture of the host building and due to the position of the canopy would not be visible from within the street scene.

Permission, is sought for the change of use of the first and second floor, including elevational changes. It is considered that the addition of new external openings is acceptable and unlikely to give rise to any significant or negative impact to visual amenity or the appearance of the street scene. It is believed that the changes will improve the frontage and rear of the building by allowing a more transparent and open frontage, which will add to the vibrancy of the area and uplift the appearance of the building and is therefore, acceptable and compliant with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

Impact on the Highway

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. As such, no parking concerns are raised from a Highways perspective by the proposals.

In line with MCC recommendations, secure and sheltered cycle parking provision should be made, within the curtilage of the site, for the accommodation of staff/ visitor cycles and a cycle provision condition has been added to the consent.

The proposed walkway is to be located at the rear of the property and therefore extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway and is considered to be acceptable from a highways prospective.

On balance, given the commercial context of the application site, the proposed number of units and servicing arrangements, the proposed development is unlikely to pose any significant or harmful impacts to the operation of the highway.

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

PS1454.05, PS1454.06, PS1454.07 and the Location Plan, and the Design and Access Statement, stamped as received on the 8 November 2023 and the Waste Management Strategy, stamped as received on the 20 November 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Notwithstanding details submitted, no above ground development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of public health and visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

4) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

5) Prior to the first occupation of the development the hours of operation for the first and second floor Office premises are to be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall be the agreed hours for the duration of the development.

Reason- In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises (at 758A Wilmslow Road), shall be used for any other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than for the operation of one retail unit (Class E(a)) without sub-division into separate retail units.

Reason - To protect the retail and community function of the district centre and to safeguard the amenity, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussions 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
Didsbury Civic Society

737 Wilmslow Road, Manchester, M20 6WF
758 Wilmslow Road, Manchester, M20 2DW
760 Wilmslow Road, Manchester, M20 2DP
731 Wilmslow Road, Manchester, M20 6WF
Didsbury House, 748 - 754 Wilmslow Road, Manchester, M20 2DW
733 Wilmslow Road, Manchester, M20 6WF
Flat At, Royal Oak, 729 Wilmslow Road, Manchester, M20 6WF
Royal Oak, 729 Wilmslow Road, Manchester, M20 6WF
756 Wilmslow Road, Manchester, M20 2DW
Ground Floor, 737 Wilmslow Road, Manchester, M20 6WF
10 Whitechapel Street, Manchester, M20 6UB
2 Whitechapel Street, Manchester, M20 6UB
752 - 754 Wilmslow Road, Manchester, M20 2DW
733A Wilmslow Road, Manchester, M20 6WF
735 Wilmslow Road, Manchester, M20 6WF
Second Floor, Didsbury House, 748 - 754 Wilmslow Road, Manchester, M20 2DW
758C Wilmslow Road, Manchester, M20 2DW
First Floor, Didsbury House, 748 - 754 Wilmslow Road, Manchester, M20 2DW
758B Wilmslow Road, Manchester, M20 2DW
12 Whitechapel Street, Manchester, M20 6UB
6 Davenfield Grove, Manchester, M20 6UA
4 Davenfield Grove, Manchester, M20 6UA
2 Davenfield Grove, Manchester, M20 6UA
2A Whitechapel Street, Manchester, M20 6UB

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 (Less) -
Area Team Boundary - Name: SOUTH AREA