



MANCHESTER
CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138387/FO/2023

Date registered valid: 6 November 2023

Proposal: Change of use from single dwellinghouse to two self-contained flats (1 x 2 bed, 1 x 4 bed)

Address: 86 Clarendon Road, Manchester, M16 8LA

Ward(s): Whalley Range Ward

Applicant: Mr Aneet Kapoor

Agent (if any): Mr Harry Johnson Mialex

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 29/12/2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 29/11/2023

Standard consultations:

Printed: 21 November 2023

Expired: 12 December 2023

Neighbour notifications

Printed: 21 November 2023

Expired: 12 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

The proposal relates to a semidetached dwellinghouse on Clarendon Road. The dwellinghouse is current in use as a 6no bed family dwelling. The property features a single storey outrigger to the rear and hardstanding to front, side and rear.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



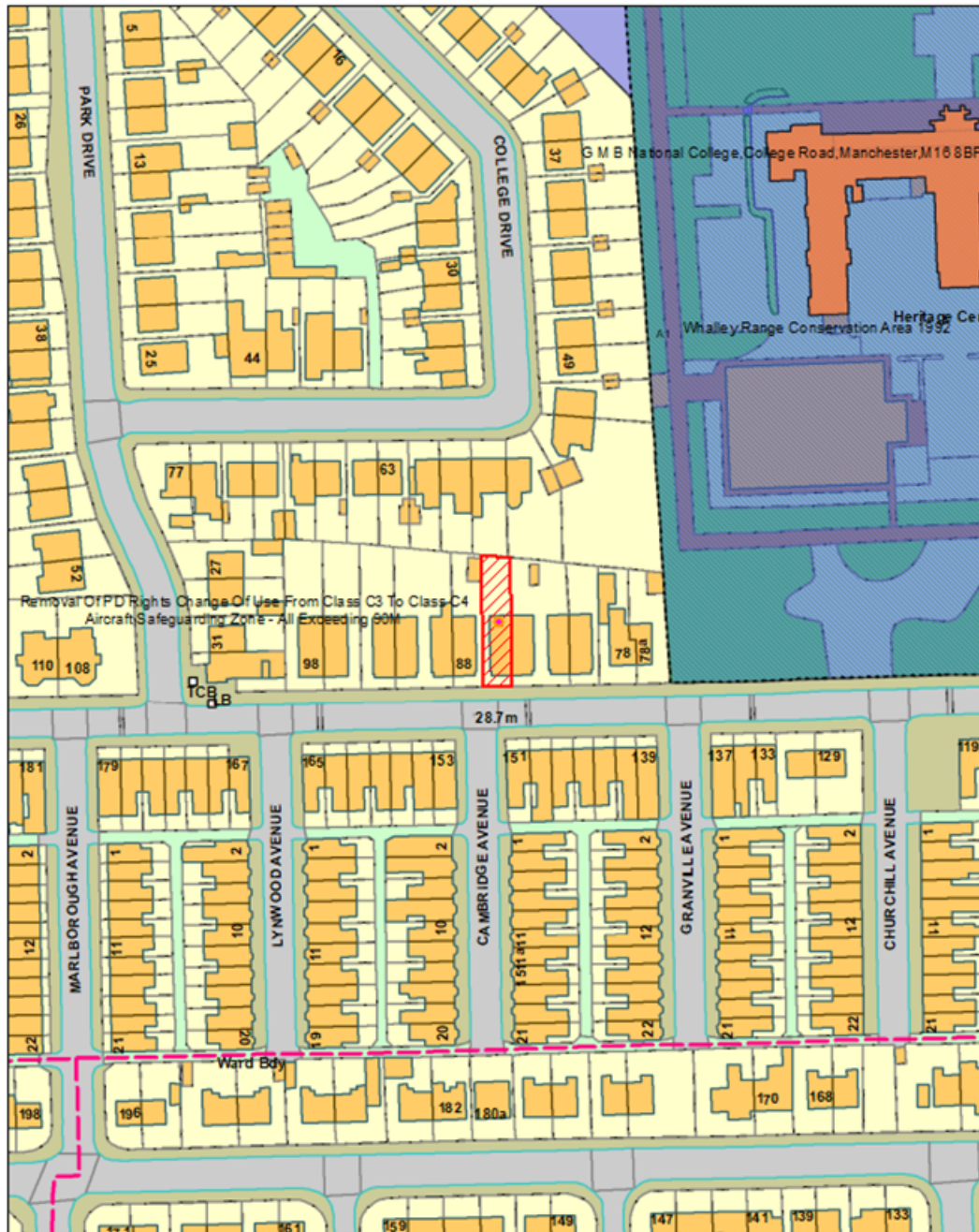
Figure 1. Front/side



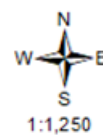
Figure 2. Street scene

Description of area

The site is located in a mostly residential part of Manchester's Whalley Range Ward.



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Description of development

The applicant is proposing the change of use from single dwellinghouse to two self-contained flats (1 x 2 bed, 1 x 4 bed).

The change of use includes:

- The sub-division of the existing six-bedroom property into two new dwellings (1 x 4 bed and 1 x 2 bed);
- The installation of an accessibility ramp and handrail; and
- Landscaping to form a new communal amenity area to the rear.

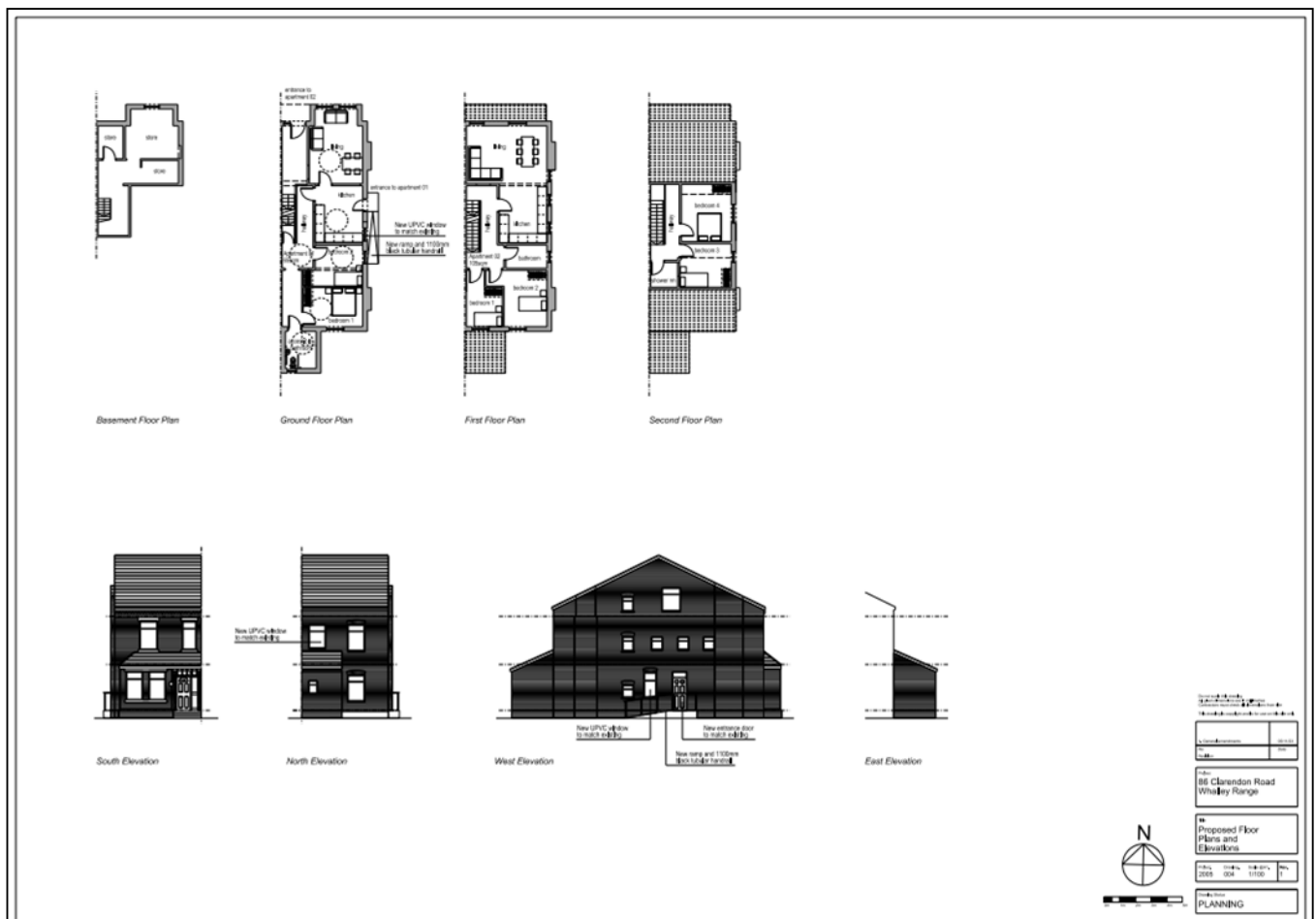


Figure 3. Proposed floor plans and elevations

Planning History

135095/FO/2022

Description: Conversion of residential property into 2no. (1 x 2 bed and 1 x 4 bed) residential apartments (Class C3)

Decision: Withdrawn 17/11/2022

It is of note that the above application was withdrawn as the council would not support the loss of a single-family dwelling.

123293/FH/2019

Description: Erection of single-storey rear extension to form additional living accommodation

Decision: Approved 04/06/2019

39872

Description: Change of use of a dwellinghouse to form a rest home

Decision: Refused 07/11/1991

35714

Description: Conversion of dwellinghouse in multiple occupation into bed and breakfast accommodation

Decision: Refused 22/02/1990

Consultations & Notification Responses

Consultations

Manchester City Council Highways Services

Manchester City Council Highways Service were consulted on this application.

They raised several concerns on the proposal

- Vehicular demands associated with the site may contribute to the level of vehicles parked on-street with lack of detail on any off-street parking associated with the proposal.

- Concerns that the access ramp may affect vehicle movements should parking be required to the rear of the property. The access ramp will also impact on the neighbouring properties rear vehicular access.
- Lack of detail on refuse storage on site

Manchester City Council Environmental Health

They had no objections to the proposed development however recommended a number of conditions be added if the proposal was to be approved. To include

- Limit on construction hours
- A scheme for the storage and disposal of waste
- A scheme for the acoustic insulation of the residential accommodation and potential for overheating
- Scheme for any electric vehicle changes of other air quality considerations (new boilers etc)
- Validation of any imported soils to site

Notifications

Local Residents

As stated in Appendix 1, people who live near the area were told about the proposal.

2no local residents objected to the proposal. There comments are summarised below.

- Concerns on area being overdeveloped with flats and HMO's
- Concerns on impact to parking, road traffic and road safety
- Concerns on impact to noise
- Concerns on impact to waste storage issues
- Concerns that the transport assessment is incorrect with Bus services not stopping at the noted stops.
- Noted that a similar scheme was withdrawn in 2022
- Concerns that the proposal does not align to the Manchester Local Plan

Negotiations

Issues have arisen in the consultation phase.

The agent was made aware that the proposal could not be supported as it would oppose the Manchester Core Strategy. It was highlighted that a similar scheme was withdrawn at the same property due to this.

The applicant was asked to withdraw the application however no response was received.

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
 - 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.
 - 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 12 – Achieving well-designed places

Principle of the development

The proposal's principle is unacceptable. There are several factors in principle and amenity terms that warrant refusal.

After careful consideration, it is concluded that the proposed development opposes 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 single dwellinghouse to two self-contained flats (1 x 2 bed, 1 x 4 bed)

The change of use would subdivide an existing 6no. bed family dwelling into two flats.

Due to the high proliferation of these flat conversions in the area further flat conversions are not supported at this location to ensure an appropriate mix of housing stock. (See Policy H6)

The proposal adds a new entrance to the side of the building including a ramp. The ramp would project 700mm from the side elevation leaving a 700mm gap to the shared boundary. The ramps' location would restrict the access to the rear of the shared driveway reducing the usable width to 2300mm to the detriment of residents of both buildings.

Officers consider the new development to be unacceptable 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 change of use would subdivide an existing 6no. bed family dwelling into two flats.

Due to the high proliferation of these flat conversions in the area further flat conversions are not supported at this site (See policy H 6)

In general, the proposed development has a large impact on the surrounding areas and opposes 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 is expected to have minimal impact on privacy.

The proposal is expected to have a negligible effect on Air Quality (pending discharge of any conditions).

The added comings and goings generated by 2no flats and 2no. entrances to the building including a side entrance would increase the amount of activity at the site (with 2no households at the address) harming the residential amenity of neighbours and the local area.

The shared garden would also be required to support 2no households increasing the amount of activity in the rear space harming the residential amenity of neighbours and the local area.

The increase in comings and goings and added activity in the rear external amenity space would also have an impact on the noise generation at the property to the detriment to the residential amenity of neighbours and the area.

The proposal adds a new entrance to the side of the building including a ramp. The ramp would project 700mm from the side elevation leaving a 700mm gap to the shared boundary. The ramps' location would restrict the access to the rear of the shared driveway reducing the usable width to 2300mm to the detriment of residents of both buildings and harming the residential amenity of both neighbour and potential occupiers of the proposal site by reducing the use as off-street vehicle parking.

The subdivision of the 1no. dwelling to 2no. dwellings is not supported by vehicle parking, and it is assumed that parking provision would be on street (especially given the narrowing of the shared driveway). The road is already heavily congested and adding more residences without parking would create further congestion.

Overall, the proposal has a harmful impact on amenity. So, it opposes this principle of development management.

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

The proposal changes how people can get in and out of the building. A new access would be created to the side elevation including a side ramp. In flat conversions the preference is a single access through the main door with internal division rather than the creation of a separate access and egress. This helps reduce the effects of coming and going by the increased density.

The new ramp access, although providing step free access, would also restrict the access to the rear of the shared driveway reducing the usable width of the shared driveway.

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

Adequacy of internal accommodation and external amenity space.

The proposal would increase the density of the property and remove the private single-family garden from the rear. The proposed external space would be shared with no private external amenity space for each household.

This opposes the development management principle.

Refuse storage and collection.

Environmental Health accepted the submitted waste proforma.

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

Vehicular access and car parking

The proposal adds a new entrance to the side of the building including a ramp. The ramp would project 700mm from the side elevation leaving a 700mm gap to the shared boundary. The

ramps' location would restrict the access to the rear of the shared driveway reducing the usable width to 2300mm to the detriment of residents of both buildings.

The subdivision of the 1no. dwelling to 2no. dwellings is not supported by vehicle parking, and it is assumed that parking provision would be on street. The road is already heavily congested (including pavement parking) and adding more residences without parking would create further congestion.

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 current dwelling benefits from a private rear external amenity space.

The proposal would increase the density of the property and remove the private single-family garden from the rear. The proposed external space would be shared with no private external amenity space for each household.

The proposal is therefore in opposition 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 oppose 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 oppose the principles of this policy.

H 6 – South Manchester

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

Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

The proposal removes a single 6no bed family dwellinghouse.

It is noted that the development is for two multiple bedroom flats which although capable of housing families would not provide a large quality dwellinghouse with private external amenities often required for multi-generational families seeking housing in Manchester.

We consider this proposal to oppose 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 oppose 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.

Environmental Health accepted the submitted waste proforma.

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.

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.

The conversion of a single family dwellinghouse to 2no. flats would increase the coming and goings and associated noise in the area to the detriment of local residents.

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

Places for Everyone Plan

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 on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

This proposal is considered to oppose the aspirations of the Places for Everyone Plan.

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 12 - Achieving well-designed places

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

The proposal is deemed to oppose relevant sections of the NPPF.

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

The proposal would remove a large single family dwellinghouse with private amenity space suited for intergenerational households. The proposed flats would lead to an over intensive use of the site with no off-street parking. The increase in comings and goings created by the use for 2no households would also harm the residential amenity of neighbours and the local area. It goes against the Core Strategy, UDP, NPPF policies, and other considerations.

Recommendation: Refuse

Article 35 Declaration

The officers worked with the applicant to find solutions for problems with the planning application. There were problems with the application, so the officer talked to the applicant and others. But they couldn't agree on a solution.

Reasons for recommendation to refuse

1. Loss of family dwellinghouse

The proposed flat conversion would result in the loss of quality housing that is capable of providing accommodation by families thereby reducing the standard, availability, mix and choice of housing in the local area. Notably the conversion would remove a large single family dwellinghouse with private amenity space suited for intergenerational households. As such the proposal is counter to policies SP 1, H 1, H 6 and DM 1 of the Core Strategy for the City of Manchester, policy DC26 of the saved Unitary Development Plan and the principles of the National Planning Policy Framework.

2. Over intensive use

The proposed flat conversion would lead to an overly intensive use of the site which would be detrimental to the amenities of neighbouring residents. Furthermore, the proposal would lead to increased levels of activity (comings and goings) which would be detrimental to the amenity of neighbouring occupiers. As such, the proposal is contrary to

policies SP 1, H 1, H 6 and DM 1 of the Core Strategy for the City of Manchester, policy DC26 of the saved Unitary Development Plan and the principles of the National Planning Policy Framework.

3. Lack of off-street parking

The proposed development does not include sufficient arrangements for the parking of vehicles within the curtilage of the site and it is considered that the potential levels of traffic generated by the use would result in on-street parking in the locality which would exacerbate existing highway difficulties and traffic congestion. This in turn would have a negative impact on the character of the area and be detrimental to the amenity of neighbouring residents whilst also compromising highway safety. As such, the proposal is contrary to policies SP 1, H 1, H 6 and DM 1 of the Core Strategy for the City of Manchester, policy DC26 of the saved Unitary Development Plan and the principles of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

149 CLARENDON ROAD, MANCHESTER, M168LE

78A Clarendon Road, Manchester, M168LA

69 Clarendon Road, Manchester, M16 8jf

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