

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136739/FO/2023

Date registered valid: 13 April 2023

Proposal: Change of use of vacant care home (Class C2) to 6 dwellinghouses (Class C3) with associated elevational alterations

Address: 685 Moston Lane, Manchester, M40 5QD

Ward(s): Charlestown Ward

Applicant: Redacted

Agent (if any): Tomislav Vuletic, Flocc Studio Ltd

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 31 May 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 5 May 2023

Standard consultations:

Printed: 4 May 2023 Expired: 25 May 2023

Neighbour notifications

Printed: 4 May 2023 Expired: 25 May 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 and surroundings

The application site relates to a part single, part storey, vacant building, formerly occupied as a care home.



View of building from Moston Lane

The building is situated at the corner of Moston Lane and Nunfield Close and is arranged in a 'T' shape comprising a number of different single storey and two storey building elements, including a conservatory.

To the front is a predominantly hard surfaced area used for car parking, with access off Nunfield Close. To the rear is a communal garden containing a variety of shrubs and bushes.

To the side of the property, the site is enclosed by a low level, concrete post and timber panel fence. To the outer side of the fence line is a recessed area off Nunfield Close used for car parking.



Recessed area off Nunfield Close

The application property is situated in an area largely residential in character, containing a mixture of single and two storey dwellinghouses of various architectural styles.

Immediately to the rear of the property is a small development of retirement bungalows, with access achieved off the narrow cul-de-sac of Nunfield Close.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of development

Planning permission is sought to convert the existing building into 6 self-contained dwellinghouses (Class C3), comprising 5 x 2 bedroom and 1 x 3 bedroom properties, consisting of 1 x 1 storey property and 5 x 2 storey properties.

To the front, a communal parking area is proposed to include 6 spaces which are to be fitted with EV charging points. To the side and rear, the curtilage of the building is to be sub-divided to create new, private, rear garden areas with new boundary treatment. A fence-line is proposed between the rear of the garden areas and neighbouring bungalow development to create a service access for bins.

The existing parking recess off Nunfield Close is to be brought within the curtilage of the proposed end property (property 685a) to create a larger, rear garden area, whilst eliminating an adhoc parking space.

Minimal external alterations to the building are proposed and no new first floor window opening are proposed. An existing window to the first floor is proposed to be bricked up.

At ground floor level, new windows are proposed in place of two doors to the rear elevation, as well as new windows to replace existing window positions. To the side elevations, a small number of ground floor windows are proposed.

The application following the withdrawal of an earlier proposal for 7 dwellinghouses. Due to concerns surrounding the parking layout and overlooking, the current application represents a revised scheme which seeks to overcome previous concerns.

Consultations & Notification Responses

Local Residents/Occupiers – 2 representations have been received which object to the proposal. It is requested that a new rear boundary fence be erected between the site and neighbouring bungalows and that the existing rear window used as a fire escape blocked up to prevent overlooking.

Concerns are raised in relation to access arrangements and potential visitor parking along Moston Lane causing visibility concerns.

Queries are raised in relation to waste management arrangements.

The proposal is considered over-development.

Environmental Health – Conditions are requested in relation to construction management, acoustic insulation, adherence to the submitted waste management strategy and EV charging.

Highway Services – The following comments are made:

Trip Generation and Junction Capacity

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 proposals are for the change of use from a care home to 1 x 3-bedroom dwelling and 5 x 2 bedroom dwellings. The total gross floor area will not increase.

Accessibility

The site is well accessed by sustainable modes. Regular bus services are routed along Moston Lane and provide connections to Piccadilly Gardens, The Trafford Centre, Eccles, Harpurhey, Greengate, Failsworth, Middleton, Oldham and Higher Crumpsall.

The closest Metrolink facility is located at Failsworth and provides connections to Shaw & Crompton, East Didsbury and Rochdale Town Centre.

The closest railway facility is located at Moston and provides connection to Leeds, Kirkby, Rochdale, Clitheroe and Manchester Victoria.

Parking

There are 6 car parking spaces located within the site's curtilage, equating to a provision of 100%.

Swept Path Analysis of Car Parking' demonstrates that necessary vehicle manoeuvres can be undertaken at the parking spaces and no vehicles will be required to reverse onto the adopted highway. This is acceptable to Highways

Vehicular access to the site is gained from the Moston Lane and Nunfield Close. It is noted that an existing vehicular crossover is present in this location in order to facilitate this access.

EV charging

Electrical Vehicle charging points (minimum 7kW) should be made available for each dwelling.

Cycle Parking

Secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit. Each dwelling has a cycle store which is acceptable to Highways.

Boundary treatment

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.

Waste Management

Designated refuse storage has been accommodated for each individual dwelling. It is understood that a bin collection point will be in place along Nunfield Close and Moston Lane. This is acceptable.

Construction Management

A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy DC26 of the UDP;
- Policies DM1, SP1, H1, H2, H3, T2, EN16, EN19 of the Core Strategy;
- Manchester Residential Quality guidance;
- National Planning Policy Framework (NPPF);

Issues

Principle

With reference to Development Plan policy and national planning guidance, the principle of the development is considered acceptable.

It is considered that the redevelopment of this site for residential purposes is acceptable and in keeping with surrounding uses and townscape.

Due to the existing building standing vacant for some time, it is important that the building is given a new and active use that will enliven the area and represent an appropriate use and density compatible with neighbouring land uses.

The proposed use will see the redevelopment of a vacant building, whilst adding to the diversity of housing stock in the area. It would also improve the appearance of a building by reversing its vacant state and uplifting the appearance of the associated grounds which could otherwise be left to further deteriorate. The use will provide a decent quality development which will create improvements to visual amenity, whilst adding to the vitality and vibrancy of the area, to the benefit of local amenity.

The proposal is also considered to be in accordance with the Core Strategy policies H1, H2 and H3, which outline that north Manchester will accommodate new residential development, with priority being given to family housing and other high value, high quality development where this can be sustained. The use of this vacant site is therefore welcomed and will have a positive impact on the street-scene and character of this area.

The proposed would make best use of a brownfield site, contribute to the Council's supply and be of an appropriate density that would allow a layout suitable for family living.

Specific planning issues are considered further below.

Residential Amenity

As no substantive external changes are proposed other than the insertion of a small number of windows to the side and rear, ground floor elevations. Given the window positioning would maintain the existing relationship to neighbouring properties, it is not considered that the proposed changes would give rise to any direct overlooking or any unacceptable impact in terms of any over-dominance or overlooking etc..as a consequence of the physical presence of the building.

In terms of any noise and disturbance, the proposed conversion to a small number of dwellinghouses is likely to generate less comings and goings to that of the authorised use of the building as care home.

Given the predominantly residential context of the immediate area, it is not anticipated that the proposed change of use would have any adverse impact to neighbouring living conditions in terms of level of activity and associated noise and disturbance. The proposed use would typify the relationship of neighbouring residential properties found in the area and the proposed scheme would readily assimilate into the local context.

Visual Amenity

It is not considered that proposed window insertion to the side and rear elevations would cause any unacceptable harm to the character of the building.

The present building is a vacant state and the garden areas in an untidy, dilapidated condition. The proposed conversion would refurbish the existing building and would enliven the space, whilst leading to exterior improvements to the benefit of visual amenity. The impact to the appearance of the building and its external space is therefore considered positive.

Impact to the Highway

In terms of parking, 6 on-site parking spaces are being provided for the 6 dwellinghouses. This equates to 100% provision. Swept path analysis demonstrate that all parking spaces can be satisfactorily accessed without the need to reverse onto the highway. Highway Services consider the arrangement satisfactory.

When balanced against the accessible nature of the site, anticipated levels of car ownership and travel opportunities afforded by non-car modes of transport, the level of off-road parking provision is considered acceptable.

Vehicular access to the proposed development will be maintained via the existing access off Nunfield Close and therefore represents the same access arrangement afforded to the former car home. Whilst concerns have been raised surrounding poor visibility arising from parked cars along Moston Lane, the new use of the front of the building for parking represents an existing arrangement and no concerns are raised by Highways.

The proposed use is considered unlikely to generate a significant increase in the level of vehicular trips beyond the existing authorised situation which would impact unduly on network capacity.

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 proposed change of use does not create any additional floorspace and is believed to offer a less intensive use than if the building was to be reoccupied as a residential institution.

On this basis, the impact to the operation of the highway is considered satisfactory.

Waste Management

Space is shown, within the rear garden areas for the storage of the necessary quantity of bins. The bin storage area is easily accessible via a rear alleyway arrangement to the rear of the proposed garden areas and for access to the building frontage for collection. This arrangement is considered to be satisfactory. A condition has been included to ensure compliance with the submitted arrangement.

Boundary Treatment and Landscaping

Conditions have been included which require details of boundary treatment and soft landscaping to be agreed prior to first occupation.

Standard of Accommodation

The unit sizes are in excess of the Council's minimum, internal space standards and all habitable rooms would enjoy natural light and ventilation. All properties would benefit from a

private, rear garden of an appropriate size. As such, the proposed standard of accommodation is considered acceptable.

Cycle Storage

Space is available in the rear yard for cycle storage in order to promote an alternative to travel than by private car. A condition has been included which requires the specification of the storage. The arrangement and ratio of provision is considered acceptable.

Climate Change

As the proposal would result in the addition of a modest number of residential units within the context of a residential environment and would result in the removal of a more intensive residential use, it is not believed there would be any significant impact to air quality.

Each parking space is to incorporate an electric vehicle charging point which represents an improvement to the current situation.

The site is situated within a sustainable location and given only minor construction work is involved, there is unlikely to be any significant or harmful contribution to air quality or climate change as a consequence of vehicular movements or ongoing activity. The impact upon climate change is therefore considered negligible.

Affordable Housing

As the number of units proposed falls below the relevant threshold contained within Policy H8 of the Core Strategy, there is no requirement for affordable provision in this instance.

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 / 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:

Drawings referenced TP2.1, TP2.3, TP2.2, TP3.3, TP3.4, TP5.3 and TP5.4, received by the City Council as Local Planning Authority on 13 April 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.

3) Notwithstanding details submitted, prior to the commencement of development, a construction management outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

4) The car parking areas indicated on drawing referenced T3P.3 received by the City Council as Local Planning Authority on 13 April 2023 shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the dwellinghouse are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

5) The residential units hereby approved shall not be occupied until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

6) Notwithstanding details submitted, the residential units hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatment to be erected. The boundary treatment shall only be implemented in accordance with the agreed details and shall thereafter be retained.

Reason - In the interests of residential amenity and to ensure that the appearance of the development is acceptable to the City Council as Local Planning authority, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

7) The development hereby approved shall be implemented in accordance with the waste management details indicated on drawing referenced TP3.3 and the accompanying waste management pro forma, received by the City Council, as Local Planning Authority on 13 April 2023. 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. No bins shall be stored outside the curtilage of each property, other than on the day of collection. On collection day, no bins shall be stored which restrict vehicular access along Nunfield Close.

Reason - In the interests of amenity and public health, pursuant to policies EN19, DM1 and SP1 of the Manchester Core Strategy.

8) Notwithstanding the bicycle storage areas indicated on drawing referenced TP3.3 received by the City Council as Local Planning Authority on 13 April 2023, full details of the cycle parking provision/stores shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupation of any of the residential units hereby approved. The approved scheme shall remain available for use whilst the units are occupied and retained thereafter.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

9) Notwithstanding details submitted, prior to first occupation of the residential development hereby approved, full details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments.

Reason - In the interest of air quality, pursuant to policy EN16 of the Manchester Core Strategy.

10) (a) A scheme for acoustically insulating proposed residential accommodation against noise from the local traffic network and noise transfer between units shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved noise insulation scheme shall be completed before the first occupation of the development.

(b) Within 1 month of first occupation of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria.

11) The dwellinghouses hereby approved shall not be occupied until details of the security measures to be incorporated into the development, which shall be to 'secured by design' specification, have been submitted to and approved in writing by the City Council as Local Planning Authority. This shall include details of external fittings, boundary treatment and dusk till dawn lighting. The development shall only be carried out in accordance with these approved details which shall be retained thereafter.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

12) The materials to be used on the external surfaces of the building, as a result of the agreed elevational alterations, shall match those of the existing building in type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to policy DM1 of the Manchester Core Strategy.

13) 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 Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

14) The development hereby approved shall be used as a private dwellinghouse only. This shall not include a serviced property, short term let or similar use, where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as short term lets do not commence without prior approval; 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 Manchester Core Strategy.

15) 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 garages, extensions, porches, roof alterations, new window/door insertion or upwards extensions shall be erected other than those expressly authorised by this permission.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

Greater Manchester Police

14 Bourne Drive, Manchester, M40 5GA

12 Bourne Drive, Manchester, M40 5GA

10 Bourne Drive, Manchester, M40 5GA

13 Bourne Drive, Manchester, M40 5GA

11 Nunfield Close, Manchester, M40 5QB

633 Moston Lane, Manchester, M40 5QD

8 Claife Avenue, Manchester, M40 5QJ

5 Shackliffe Road, Manchester, M40 5GQ

3 Shackliffe Road, Manchester, M40 5GQ

13 Nunfield Close, Manchester, M40 5QB

9 Nunfield Close, Manchester, M40 5QB

687 Moston Lane, Manchester, M40 5QD

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA