

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137474/FO/2023
Date registered valid: 14 August 2023
Proposal: Change of use from hairdressers (Class E) to a residential dwelling (Class C3a)
Address: 316 Slade Lane, Manchester, M19 2BY
Ward(s): Levenshulme Ward

Applicant: Mr Mohammad Ali
Agent (if any): Salaan Alam
Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 5 October 2023

Application details

Type of application: Full Application Consent

Development type: Change of use

Standard consultations:

Printed: 15 August 2023 Expired: 5 September 2023

Neighbour notifications

Printed: 15 August 2023 Expired: 5 September 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: Not applicable

Tree Preservation Order: Not applicable

This application relates to a two storey mid-terraced property, in a row of 12. It appears that the row were all originally in a retail/commercial use and formed a local shopping centre. Over time though a number of the units have now been converted into residential uses so that it is now roughly a 50/50 split between retail and residential uses.

The premises are indicated to be a Class E hairdressers with a residential flat above, which is accessed by a separate door on the Slade Lane frontage. It is proposed to change the use, of the ground floor, into a residential flat thereby creating a total of 2 flats, in the property.

External changes are also proposed, to the front of the property, with the large shop windows replaced by smaller windows. Also, a new low level brick wall is proposed to create a yard area on the existing front courtyard area. The proposed flat would not have access to the rear yard area, which can only be accessed from the existing upper floor flat.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Highway Services - Make the following comments:

It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

No off-street parking is available. There is a section of unrestricted parking directly adjacent to the property on Slade Lane if required. The site is considered to be suitably accessible by sustainable modes and is in close proximity to a number of bus routes along Slade Lane and Albert Road.

The pedestrian access arrangements are acceptable from a highway perspective.

Plans suggest a wall will be built to surround an area of unadopted footway to the front of the property and to house the refuse storage area. Clarification is sought regarding this unadopted strip of land to the front of the property to confirm ownership (the submitted application confirms that the applicant owns this strip).

Strategic Area and Citywide Support Manager - Recommends that a condition is attached, to any permission, relating to the approval of the existing refuse storage arrangements. A contaminated land watching brief is also proposed.

Flood Risk Management Unit - Makes the following comments:

The site is within Flood Zone 1 and low risk of surface water flooding and whilst the change of use results in a change in Flood Risk Vulnerability Classification, it does not require any mitigation measures and they approve with no condition required.

An informative is however proposed, which is included in the decision notice.

Greater Manchester Police - No comments received.

Issues

National Planning Policy Framework (September 2023) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;

- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 127).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

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

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN19 Waste - Requires consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. How the sustainable waste management needs of the end user will be met.

As discussed below, appropriate waste management can be achieved to secure compliance with policy EN19.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

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.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

With regards to development and noise Development Control policy DC26 states that 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 the effect of the new development proposals, which are likely to be generators of noise.

Principle of use - The property lies in, what was, a small local shopping centre, although the row of properties now consists of a mixture of retail, residential and vacant units. It also needs to be noted that current Permitted Development regulations allow the change of use of Class E to Class C3 subject to the LPA's Prior Approval, by virtue of Schedule 2, Part 3, Class MA of the

Town and Country Planning (General Permitted Development) Order 2015 (as amended).
Regard therefore needs to be given to works that would be allowed as permitted development, whereby the applicant could legitimately change the retail use to residential, subject to obtaining a prior approval. It is therefore considered that the principle of use is acceptable.

Residential amenity - The ground floor, of the property, is currently vacant, although the previous hairdressing use would have attracted a significant level of comings and goings. Compared to the former situation, it is considered that the level of activity, associated with the proposed use would be quite low level. It is also a use that is compatible with the general character of the area and it is not therefore considered that the proposal would impact upon the amenity of surrounding residents.

Amenity space/waste - The proposed ground floor flat does not have direct access to the rear yard area, so the front courtyard area would be the only amenity space available, for the occupiers of the proposed ground floor flat. The applicant has indicated though that the rear yard is just for the use of the upper floor flat. Whilst this is not an ideal arrangement, the ground floor flat would, however, have dedicated space in which bins can be stored. This arrangement is considered to be acceptable to Environmental Health and the bins, provided at the front of the property, would be screened by the proposed brick wall.

Car/cycle parking - Neither of the resulting flats would have any dedicated car parking provision although there is a long lay-by, to the front of this row of properties, in which car can be parked. The proposal therefore continues this arrangement. and Highways Services have not identified this as a concern. The applicant is amenable to providing cycle parking and a lockable shelter has been suggested. in the front courtyard area. An appropriate condition is therefore proposed.

External appearance - The significant change proposed is that the large shop window would be replaced with smaller windows, which would give the property a more residential appearance and it is considered that the resulting building frontage would be in keeping with the general character of the area. In addition, a new wall is proposed, to surround the front courtyard area. This is a low level wall, similar to that on the properties opposite and at some properties on the row of properties, of which the site forms part. Consequently the proposed external appearance, of the property, is considered to be acceptable.

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. In particular negotiations were in relation to cycle parking, amenity space and refuse.

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:

Waste Management Strategy, stamped as received by the City Council, as Local Planning Authority, on 21 July 2023

Drawings numbered 161020/0001, 161020/0002, 161020/0003, 161020/0004, 161020/0005, 161020/0006, 161020/0007, 161020/0008 and 161020/0009, stamped as received by the City Council, as Local Planning Authority, on 14 August 2023

The email from Salaan Alam, dated 2 October 2023, which confirms refuse and amenity space arrangements.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy.

3) Prior to first occupation, of the proposed residential unit, the ground floor frontage, and boundary treatment, shall be finished in brickwork, to match the existing property, in terms of colour, type and method of coursing and pointing, as indicated on drawing numbered 161020/0004, stamped as received by the City Council, as Local Planning Authority, on 14 August 2023.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DM1 of the Manchester Core Strategy.

4) 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 exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and 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 policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

5) The development shall be carried out in accordance with the Waste Management Strategy, stamped as received by the City Council, as Local Planning Authority, on 21 July 2023, and indicated on drawing numbered 161020/0006, stamped as received by the City Council, as Local Planning Authority, on 14 August 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.

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

6) Prior to first occupation, of the ground floor residential unit, bicycle storage facilities shall be provided, on site, in accordance with details that shall be submitted to, and approved in writing by the City Council, as Local Planning Authority on 14 March 2023. 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 Manchester Core Strategy.

Informatives

1) Manchester City Council records highlights an underground culverted ordinary watercourse (Fallowfield Brook) is located within close proximity to the site (approximately 66m south of the site), while these records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore the applicant should inform the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

2) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

3) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -- highwaylicences@manchester.gov.uk

highwaynetworkmanagement@manchester.gov.uk

4) 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

All bins should be stored within the site's curtilage and transferred for kerbside collection when appropriate to prevent any obstruction on the footway

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management
Highway Services
Greater Manchester Police
Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

Flat 2, 310A Slade Lane, Manchester, M19 2BY
Flat 1, 310A Slade Lane, Manchester, M19 2BY
310 Slade Lane, Manchester, M19 2BY
320A Slade Lane, Manchester, M19 2BY
316A Slade Lane, Manchester, M19 2BY
314 Slade Lane, Manchester, M19 2BY
Flat 20, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 18, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 16, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 12, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 10, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
203 Slade Lane, Manchester, M19 2AE
Flat 33, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 31, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 3, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 27, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 25, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 22, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
207 Slade Lane, Manchester, M19 2AE
205 Slade Lane, Manchester, M19 2AE
201 Slade Lane, Manchester, M19 2AE
322 Slade Lane, Manchester, M19 2BY
320 Slade Lane, Manchester, M19 2BY
318 Slade Lane, Manchester, M19 2BY
312 Slade Lane, Manchester, M19 2BY
Flat 9, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 8, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 7, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 6, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 5, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 4, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 32, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 30, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 29, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 28, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 26, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 24, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 23, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 21, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 2, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 19, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 17, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 15, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ

Flat 14, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 11, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 1, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ
Flat 34, Moseley Court, 263 Moseley Road, Manchester, M19 2LJ

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA