MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138540/VO/2023
Date registered valid:	13 November 2023
Proposal:	City Council Development - Change of use of the building from a community centre (F1) to 16 bedsits for the homeless (sui generis)
Address:	Community Centre, 2 - 12 Fulmead Walk, Manchester, M8 9DW
Ward(s):	Cheetham Ward
Applicant:	Peter Wood Manchester City Council
Agent (if any):	
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	8 January 2024

Application details

Type of application: Regulation 3 Consent

Development type: Change of use

Date of site visit: 29 November 2023

Standard consultations:
Printed: 15 November 2023 Expired: 6 December 2023

Neighbour notifications
Printed: 15 November 2023 Expired: 6 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

The property that is the subject of this planning application is a 2 storey brick built former community centre. It is detached and sits within it's own grounds. It has been vacant for a number of years. There is a car parking area outside the site edge red and security fencing and matching gates bound the site. There is a tarmac former playground and a grassed area that forms part of the setting of the building, having formerly been used as recreation space for the occupants of the community centre.

The remainder of the area is predominantly residential in nature, with a mix of types and ages of properties and the surrounding properties are mostly reliant on car parking areas designed into the housing estate.

The proposal is a city council development for the change of use of the building from a community centre (F1) to 16 bedsits for the homeless (sui generis). Providing support to residents at the Fulmead temporary accommodation site will be provided by the Homelessness Service In-House Temporary Accommodation Service, which means the building will be used permanently for the homeless, although residents will come and go. The site will have a staff team made up of 3 FTE Accommodation Support Workers based on site, with a Homeless Lead Officer. The staff will work a rota that will ensure accommodation support staff are on site from 8.30am in the morning to 8pm in the evenings, there will be support workers on site at weekends during the daytime. There will be a security staff presence on site at all other times to

ensure a 24-hour staff presence is in place at all times. There will be a maximum of 16 residents at any one time.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and one objection was received, raising concerns that the use of a homeless shelter would result in an increase of antisocial behaviour and noise in the area.

The city council is satisfied the nature of the use would be consistent with the activity associated with a residential development and due to the non-transient occupation, along with staggered comings and goings, the presence of staff and security guards at the site would not result in anti-social behaviour or an unacceptable increase in noise as a result of the proposal.

The Highways Team- Raised no objection to the proposal and requested a cycle storage condition be attached to the consent.

Environment Health-Requested times when residents can access the accommodation and agree the times when people leave the site. Environmental health also requested a refuse condition be attached to the consent.

The Flood Team-No representations were received.

Supported Housing-Submitted the proposal.

Greater Manchester Police- -No representations were received.

Issues

Policy Context

For reasons to be outlined below, it is considered the proposal accords with policy.

Local Development Plan

Core Strategy - 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 H1 'Overall Housing Provision' and Policy H10 'Housing for people with additional support needs,' are relevant as they specify that the definition of people with additional support needs includes homeless people.

Proposals for accommodation for people with additional support needs will be supported where:-

There is not a high concentration of similar uses in the area already.
Where it will contribute to the vitality and viability of the neighbourhood.
Where there would not be a disproportionate stress on local infrastructure such as health facilities.

Therefore, the Council is seeking to avoid an over-concentration of people with additional support needs in any one particular area.

The development would be policy H1/H10 compliant, as it would meet the housing needs of people with additional support needs. There is not a high concentration of similar uses in the area. The temporary nature, scale of the use proposed, and the operations of the building described by the applicant would ensure that there would not be disproportionate stress placed upon the local infrastructure.

Policy DM 1, Development Management - Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are given below:-

o Appropriate siting, layout, scale, form, massing, materials and detail.
o 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.
o 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.

Policy SP1 'Spatial Principles' which states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

The development would be policy DM1/SP1 compliant, as again, the temporary nature, the scale of the use and the operations of the building described by the applicant would ensure that the development would not adversely impact upon the residential amenity of any neighbouring property.

National Policy

The National Planning Policy Framework (NPPF) 2018 - The NPPF is a material planning consideration in the determination of planning applications. The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

Issues

The Homelessness Strategy 2013-18 identified homelessness as a priority for the city. Since this Strategy was approved the numbers of homeless people has continued to grow, and Manchester has a significant number. The wider definition of homelessness includes all those who are living in temporary, insecure, or unsuitable accommodation such as B&B's, hostels, sofa-surfing.

Rough sleeping is a growing problem nationally but there are particular challenges in Manchester. Possible reasons for the increase include:

o Impact of welfare reform, particularly the bedroom tax and extension of single room rate to under 35's - lack of affordable housing
o Increase in EEA nationals with no recourse to public funds
o Net reduction in bed spaces for single homeless people & funding to support people as a result of reductions in funding from the government

The Nature of the Use

Additional in-house temporary accommodation bedspaces are needed in order to support the reduction of the use of Bed and Breakfast hotel types of accommodation being used to accommodate homeless single people. There are currently 243 single homeless people (Nov 2023) accommodated in B&B type accommodation currently. B&B accommodation does not provide the supportive environment that many homeless clients require, it is very costly and the use of it results in sizeable budget pressure for the Council. Temporary Accommodation ran by the Council offers far greater value for money and enables housing benefit maximalisation that B&B accommodation does not. B&B types of accommodation do not provide bedspaces that the Council has sole use of, and many other LA's/services will use this type of accommodation in Manchester. This means the service has no control over who is placed alongside our own clients to whom we owe a statutory homeless duty.

Single people who present to the Council when they are a risk of, or are homeless, are subject to a homeless assessment. Where that assessment confirms the local authority owes a statutory homeless duty to the individual, temporary accommodation will be provided. In the first instance this is likely to be Bed & Breakfast type accommodation. This is very costly to the Council and because it is not managed directly by the Council provides minimal support for people on site. Developing well managed, good quality temporary accommodation provided by the Homelessness Service is crucial. At Fulmead Walk the Homelessness Service will ensure the provision of a good quality supported accommodation offer to individual homeless people and deliver a value for money service for the Council as a whole.

The accommodation service provided at Fulmead Walk will be for homeless single people with low support needs. The site will be for males and females. Our clients will have become homeless for a variety of different reasons. Their support needs will mean that, with the provision of temporary accommodation and support provided by Accommodation Support Workers based on site they will be able to move on to a settled tenancy of their own relatively quickly. It may be the case that some clients will be in employment. At this accommodation site no one will have complex support needs, such as drug or alcohol misuses issues, they will not be former rough sleepers, or have severe mental health problems, for example. Referrals into the accommodation will be managed by the Homelessness Service and will not be taken direct from any other agencies.

There are many reasons why single people become homeless with the three main reasons for presenting as homeless to the local authority being:

Loss of tenancy through a Section 21
Family friends unable or no longer willing to accommodate.
Fleeing domestic abuse

A section 21 is a process a landlord will enter into when they wish to end the tenancy agreement with a tenant. A section 21 is also classed as a no-fault eviction. The reasons can

vary, such as the landlord intends to increase the rent of the property to a level that the existing tenant cannot afford, or because they want to use the property themselves. A tenant could lose their job and very quickly run up rent arrears and a landlord want them to leave.

Type of Accommodation

The aim of the service at Fulmead Walk will be safe and secure temporary accommodation for an average stay of 3 to 6 months for individual single people. Some may move on in a shorter period of time, especially if in employment. The service will work with all clients to source settled homes of their own in the private rented sector which is suitable and affordable.

The site will be staffed with Accommodation Support Workers from the Council's Homelessness In-house Temporary Accommodation service. In addition, there will be overnight and weekend security staff at the site. The service and staff team will be managed by a Team Leader and a Homeless Lead Officer. There will be a Move on Support Worker based on site working with all clients to secure a settled move on option for all. The In-House Temporary Accommodation service manages 26 temporary accommodation sites currently across Manchester and is an experienced quality provider of temporary accommodation and support to homeless people.

Residential Amenity

Environmental health have commented the premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority along with a management plan to determine how the access and egress from the site will be managed to ensure compliance with the agreed hours. Environmental health went on to raise concerns from comings and goings associated with the use and how it may impact the occupiers of the surrounding properties, in particular the use of the outside amenity space.

The nature of the proposed 'use' is as such, the activity associated with the proposal would be conducive with a house of multiple occupation, rather than temporary accommodation available for the homeless on a time restricted day by day basis. The residents of the facility will be able to access the premises on a 24-hour basis, the same as any residential development. The comings and goings of staff at the site would also assimilate well within the daily activity at the site. Overall, the anticipated level of activity associated with the proposed use would not be at odds with the surrounding residential uses and would not be detrimental to the amenity currently enjoyed by residents, that would warrant refusal of the application. Furthermore, the previous use, as a community centre would have experienced heightened activity associated with the use, in particular the noise levels as a result of the use of the outside amenity space during the hours of operation. Whereas the proposed use would have a constant level of activity which would be acceptable. Therefore, the proposal is in accordance with policies SP1 and DM1 of the Core Strategy.

In addition to the above, a condition relating to a strategy to obscurely glaze the first floor windows on the western elevation of the building to further protect the amenity of the surrounding properties has been added to the consent.

Highways Issues

The proposals will accommodate 16no. residents at any one time, supported by max. 4FTE Accommodation Support Worker Staff. Out of hours security staff will also be on-site between 8pm - 8.30am.

Given the scale, nature and accessible location of the development proposals, Highways anticipate that the proposed change of use is unlikely to generate any network capacity concerns.

The site is located in an established residential area and is well accessed by bus with services running in close proximity of the site along Waterloo Road and Elizabeth Street

Highway's confirmed, clarification was sought with regard to car parking provision and anticipated use/demand. The applicant confirmed there are no plans to change any of the existing arrangements in regard car parking, with previous provisions remaining the same as detailed on the attached plan. Highways agree the retention of the current car parking arrangements are acceptable.

Cycle Parking

Cycle shelter details have been provided and highways agree the provision to be made available is satisfactory. However, further details have been requested by the means of a condition. Notwithstanding further details are required, 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.

Refuse and Servicing

Bins will be stored within the site curtilage (within the security fenced area) and presented for servicing at Kilmington Drive. The proposed arrangements are considered acceptable by Highways. Environmental health commented, each individual household must be able to contain a minimum area that would house 4 x 240L bins externally, within the curtilage of the development. Any storage area must be made of a hard impervious surface which can be washed down to remove any residue within the boundary of the property. A property available to 5 or more people, forming 2 or more households, sharing amenities such as kitchen and bathrooms is a House in Multiple Occupation (HMO). Where the property will be used as an HMO, more space must be provided at a rate of one of each bin for every group of 1-5 people (for example 5 people would need space for 4 x 240 litre bins, 6-10 people would need space for 8 x 240 litre bins and so on). The dimensions for the above receptacles can be found in Appendix A of the Councils waste guidance document. Bin specification can be provided upon request if the developer wants to procure their own units. A refuse condition has been added to the consent to ensure compliance with policies DM1 and SP1 of the Manchester Core Strategy, in the interests of public health and visual amenity,

Conclusion

On balance, it is considered that the proposal represents an appropriate and satisfactory form of development which makes best use of a large vacant building in order to provide a much-needed residential premises and through effective on-site management, the use is considered acceptable in this location and unlikely to have any significant, detrimental impact upon either residential amenity or the local highway network. As such, the proposal represents a sustainable form of development that complies with policies H1, H10, DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations
This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant / 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:

Ground Floor Plan 01, Level One Plan 01, Level Two Plan 01 and the Roof Plan, The Location Plan, The Waste Management Plan, The Supported Needs Information, stamped as received on the 13 November 2023, and the email from Manchester City Council relating to Cycle Provision dated 11 December 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 space and facilities for bicycle parking has 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.

4) 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.

5) Prior to occupation of the development, a strategy for obscure glazing of the first floor windows shown on the approved drawings submitted on the 13 November 2023, shall be submitted to and approved by the city council as local planning authority. The obscure glazing shall be to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Informatives

1) 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
MCC Supported Housing Montoring Group

44 Kilmington Drive, Manchester, M8 9BP
42 Kilmington Drive, Manchester, M8 9BP
14 Kilmington Drive, Manchester, M8 9BP
8 Kilmington Drive, Manchester, M8 9BP
2 Kilmington Drive, Manchester, M8 9BP
3 Kilmington Drive, Manchester, M8 9BP
4 Denman Walk, Manchester, M8 9BL
5 Brimpton Walk, Manchester, M8 9BQ
22 Kenford Walk, Manchester, M8 9BH
16 Kenford Walk, Manchester, M8 9BH
10 Kenford Walk, Manchester, M8 9BH
45 Kilmington Drive, Manchester, M8 9BP
Flat 10, 151 Elizabeth Street, Manchester, M8 8BW
Flat 8, 151 Elizabeth Street, Manchester, M8 8BW
Flat 5, 151 Elizabeth Street, Manchester, M8 8BW
Flat 2, 151 Elizabeth Street, Manchester, M8 8BW
187 Elizabeth Street, Manchester, M8 8BW
181 Elizabeth Street, Manchester, M8 8BW
163 Elizabeth Street, Manchester, M8 8BW
151 Elizabeth Street, Manchester, M8 8BW
16 Kilmington Drive, Manchester, M8 9BP
176 Elizabeth Street, Manchester, M8 8BN
174 Elizabeth Street, Manchester, M8 8BN
172 Elizabeth Street, Manchester, M8 8BN
170 Elizabeth Street, Manchester, M8 8BN
189 Elizabeth Street, Manchester, M8 8BW
155 Elizabeth Street, Manchester, M8 8BW
161 Elizabeth Street, Manchester, M8 8BW
165 Elizabeth Street, Manchester, M8 8BW
159 Elizabeth Street, Manchester, M8 8BW
171 Elizabeth Street, Manchester, M8 8BW
173 Elizabeth Street, Manchester, M8 8BW
177 Elizabeth Street, Manchester, M8 8BW
157 Elizabeth Street, Manchester, M8 8BW
175 Elizabeth Street, Manchester, M8 8BW
Flat 12, 151 Elizabeth Street, Manchester, M8 8BW
Flat 11, 151 Elizabeth Street, Manchester, M8 8BW
3 Brimpton Walk, Manchester, M8 9BQ
1 Brimpton Walk, Manchester, M8 9BQ
Flat 9, 151 Elizabeth Street, Manchester, M8 8BW
Flat 7, 151 Elizabeth Street, Manchester, M8 8BW
Flat 6, 151 Elizabeth Street, Manchester, M8 8BW
Flat 4, 151 Elizabeth Street, Manchester, M8 8BW
Flat 3, 151 Elizabeth Street, Manchester, M8 8BW
Flat 1, 151 Elizabeth Street, Manchester, M8 8BW
185 Elizabeth Street, Manchester, M8 8BW

183 Elizabeth Street, Manchester, M8 8BW
179 Elizabeth Street, Manchester, M8 8BW
167 Elizabeth Street, Manchester, M8 8BW
153 Elizabeth Street, Manchester, M8 8BW
169 Elizabeth Street, Manchester, M8 8BW
6 Denman Walk, Manchester, M8 9BL
2 Denman Walk, Manchester, M8 9BL
24 Kenford Walk, Manchester, M8 9BH
20 Kenford Walk, Manchester, M8 9BH
18 Kenford Walk, Manchester, M8 9BH
14 Kenford Walk, Manchester, M8 9BH
12 Kenford Walk, Manchester, M8 9BH
8 Kenford Walk, Manchester, M8 9BH
6 Kenford Walk, Manchester, M8 9BH
4 Kenford Walk, Manchester, M8 9BH
2 Kenford Walk, Manchester, M8 9BH
3 Swanton Walk, Manchester, M8 9BF
1 Swanton Walk, Manchester, M8 9BF
8 Colwood Walk, Manchester, M8 9BE
6 Colwood Walk, Manchester, M8 9BE
4 Colwood Walk, Manchester, M8 9BE
2 Colwood Walk, Manchester, M8 9BE
43 Kilmington Drive, Manchester, M8 9BP
41 Kilmington Drive, Manchester, M8 9BP
7 Kilmington Drive, Manchester, M8 9BP
5 Kilmington Drive, Manchester, M8 9BP
1 Kilmington Drive, Manchester, M8 9BP
12 Kilmington Drive, Manchester, M8 9BP
10 Kilmington Drive, Manchester, M8 9BP
6 Kilmington Drive, Manchester, M8 9BP
4 Kilmington Drive, Manchester, M8 9BP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA