

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136234/FO/2023
Date registered valid: 20 March 2023
Proposal: Change of use of apartment to form an Office
Address: Flat 7, 1 Moorfield Road, Manchester, M20 2UZ
Ward(s): Didsbury West Ward

Applicant: Mr Roger Dean
Agent (if any): Mr Ian Grainger, Blu Room Architecture
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 6 July 2023

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 12th May 2023

Standard consultations:

Printed: 11 April 2023 Expired: 2 May 2023

Neighbour notifications

Printed: 12 April 2023 Expired: 3 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

The property that is the subject of this application is a detached three storey red brick villa style property that sits at the junction of Moorfield Road and Barlow Moor Road. It is identified as 1 Moorfield Road. It is currently divided into 7 flats. The primary entrance to the building is taken off Moorfield Road. It has a pathway leading to the front entrance made up of Minton style tiles and large timber double doors. The fenestration comprises of a mix of styles from recessed windows to floating bays around the elevations with decorative brick details and stone sills. There is a garden to the front and side which is a combination of grass and gravel and contains very established trees. The boundary treatment is a brick wall of differing heights with stone coping stones on top.

There is a large area of hardstanding that is accessed through the vehicular entrance off Moorfield Road, and the bins for the flats and the neighbouring properties identified as 154 A, B and C Barlow Moor Road, together with off street parking provision. The three Barlow Moor Road properties also have the benefit of rear access from this area. The properties are separated by an internal low level Waney Lap timber fence.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The remainder of the area is predominantly residential in nature, with villa style properties similar to that of 1 Moorfield road. Numbers 154 A, B and C Barlow Moor Road are a block of three modern properties, next to which is a Gulf petrol filling station and car sales.

Description of development

The proposal is for the change of use of a 1- bedroom flat into offices for Roger Dean the management agents for the proposal site and others within the area. There will be no internal alterations, with just the change of what is currently 1 bedroom and a lounge within the flat to offices.

Consultations & Notification Responses

Local residents were informed - no representations have been received.

West Didsbury Residents Association- were informed no representations have been received.

Highways- no objections subject to the attachment of a condition relating to cycle storage provision.

Environmental Health- no objections subject to the attachment of conditions relating to deliveries, waste management and noise.

Policy

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through 'which locally prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 92). The development would not adversely affect the character of the property nor the area within which it is located. The end users of the office would be the management company of the building who would be accepting a personalised condition. There are no elevational alterations, so the property will retain its residential appearance. No significant issues relating to on-site security would be presented by the development. Activity associated with the use would be related to day-time weekday use, thereby reducing potential harm to neighbouring residential uses. Any activity would be likely to be no more impactful than a residential use due to the restricted hours of operation. Chapter 8 would thereby be accorded with.

Chapter 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

- i. The potential impact of development on transport networks can be addressed;
- ii. Provide opportunities for walking, cycling and public transport use (Paragraph 104).

It is considered that, given the modest operation proposed, the generation of traffic and vehicular movement would be similar to that produced from the previous residential use of this part of the development, and is capable of being accommodated within the local highway infrastructure. There is a high level of parking provision associated with the development

overall, and the site is highly accessible via public transport. The development would thereby be appropriately related to Chapter 9.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application the following aspects of the PPG have been appropriately responded to:

- i. Consultation and pre-decision matters;
- ii. Health and well-being.
- iii. Noise.

It is considered that the development would be appropriately related to the above objectives for the reasons set out in the report.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.' The following policies are relevant to the proposed development:

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

The proposed company manage the building within which the office use would be located, it would therefore improve access to their service for the residents within the building. Any consent would be a personal one thereby ensuring that any different office use that operates differently to the applicant would have to apply for planning permission to enable assessment of how the use would be managed. The development would draw from the advantages of its sustainable location and access to public transport. Policy SP1 would thereby be accorded with.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

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

The applicant has demonstrated the site has the capacity to accommodate related waste and recycling bins and their movement and return will be managed by the applicant. Policy EN19 would thereby be accorded with.

Policy T1 (Sustainable transport) - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. In this case, the development would not generate significant traffic and the site is in a sustainable transport location with access to sufficient parking spaces for the office and residential use. Policy T1 would be appropriate responded to.

Policy DM1 (Development Management) - 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. Relevant considerations in this case are:

- o Impact on the surrounding areas with due regard to the character of the surrounding area;
- o Effects on amenity;
- o Accessibility - In relation to inclusive access and sustainable transport modes;
- o Community safety and crime prevention;
- o Design for health;
- o Refuse storage and collection.

The proposed changes purely relate to the use of 2 of the rooms within the ground floor flat, there are no physical changes to the building itself. It is not considered that the proposed change of use would have a detrimental impact in relation to character, amenity, accessibility, safety and crime, health or waste management. It is therefore considered that the proposal would be in accordance with Policy DM1.

Unitary Development Plan (UDP) saved policies -The following saved UDP policies are also considered to be relevant:

Policy DC26 (Development and noise)

Policy DC26.1 - The proposed use will generate no greater noise as a modest office use than that generated by a residential use. The use would only be operational during the hours of 0.900 am to 17.00 pm Monday to Friday and 09:00 to 16:30 on Saturdays with no work on Sunday or Bank Holidays. It is not considered that the use would adversely affect the neighbouring residential uses. Conditions would be attached to limit noise transfer. The development would thereby accord with policy DC26.

Guide to Development in Manchester - States that throughout the City, the Council will encourage development that complements Supplementary Planning Document and Planning Guidance. The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to secure satisfactory development in Manchester.

In this case, officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Sufficient information was provided with the application thereby allowing its full assessment, without a requirement for further negotiation.

Principle of the development - The development is located within a detached residential property that is managed by the applicants. It would involve the change of use of two of the rooms within what was formerly a 1 bed flat into two offices. There are no physical changes. The offices would be occupied by 4 employees of the company that manage the property within which it is located. It is considered that given their interest in the management of the building the principle of the use is considered acceptable subject to the attachment of a personalised

condition with any other operator requiring planning permission. This would enable assessment of any alternative operator's management plan.

Residential amenity - The limitation to a personal consent within Class E would help to safeguard the amenities of neighbouring residential units within 1 Moorfield Road, as the end users also manage the property, they would not wish for any use within the property to have a detrimental impact upon the residents. The office use would be only during daytime office hours Monday to Saturday, with no work on Sundays and Bank holidays, and it is envisaged that the modest office use together with a limited staffing of the office, would generate no greater noise or impact than the occupants of the residential accommodation would generate. There would be appropriate conditions relating to noise waste management and hours attached to any consent granted.

Visual Amenity- The changes are purely internally with regards to the use as an office rather than a 1- bedroom flat. There are no elevational aesthetic changes, and beyond the use of the lounge and the bedroom as an office, the remainder of the layout remains the same as those previously used with the flat, as such there is no detrimental impact upon the visual amenity of the neighbouring properties.

Waste management - The development benefits from a large area around the property which can easily provide the space to accommodate the levels of segregated and recyclable waste generated by a Class E commercial use together with the residential waste requirements. These arrangements are considered to be appropriate however there will be a waste management condition attached to any consent granted.

Car parking and sustainable transportation options - Given that the proposed change of use relates to a ground floor flat and the ample space around the site, there is adequate space to provide cycle parking. In line with MCC recommendations, a condition would be attached to any consent granted requiring secure and sheltered cycle parking provision should be made, within the curtilage of the site, for the accommodation of staff/ visitor cycles. Given the use class of the building, this should accommodate 2 cycles.

The development is located in a highly sustainable location given the proximity of Metrolink and bus services. The amount of parking provision within the site would manage traffic generation with resident, visitor and staff car parking demands being capable of being met in curtilage.

Access - As the development is located on the ground floor, inclusive access would be achieved.

Opening hours - Conditioned as applied for, ie, 09.00 am to 17.00 pm Monday to Friday and 09:00 to 16:30 on Saturdays with no work on Sunday or Bank Holidays.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, matters concerning noise, hours and waste management were discussed and appropriate conditions have been attached to the end of this report. The application has been determined in accordance with both national and local policies.

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:

04- Proposed Ground Floor Layout

05- Proposed Site Plan

06- Location Plan

Received 20th March 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) a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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.

The proforma/ Waste Management Strategy must include the following information:

Details of internal and external stores for both waste and recycling, including any plans and designs. Commercial bins must be stored separately to domestic bins.

Location of the proposed collection point and details of the route the collection vehicle will take;

Details of how waste will be transferred between stores and to the collection location; and

Details of number and capacity of bins proposed and collection frequency.

Reason - In the interests of amenity and public health pursuant to saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.

5) a) The premises shall be acoustically insulated and treated to limit the break- out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building Pursuant to saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.

6) The development hereby approved shall only be occupied by Roger Dean Management Company and by no other third party or for any other use within Use Class E without the benefit of securing planning permission. The premises shall not be frequented by visiting members of the public at any time.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation. In accordance with saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.

7) The office shall not become operational until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
West Didsbury Residents Association

1 Stanton Avenue, Manchester, M20 2PG
154A Barlow Moor Road, Manchester, M20 2UT
Attic Flat, 2 Darley Avenue, Manchester, M20 2XF
Second Floor Flat, 4 Darley Avenue, Manchester, M20 2XF
Top Flat, 156 Barlow Moor Road, Manchester, M20 2XQ
Flat 12, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 11, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 10, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 9, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 8, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 7, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 6, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 5, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 4, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 3, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 2, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 1, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 4, 1 Moorfield Road, Manchester, M20 2UZ
Flat 1, 1 Moorfield Road, Manchester, M20 2UZ
Flat 5, 6 Moorfield Road, Manchester, M20 2UY
Flat 3, 6 Moorfield Road, Manchester, M20 2UY
156 Barlow Moor Road, Manchester, M20 2XQ
Flat 8A, 6 Moorfield Road, Manchester, M20 2UY
Flat 6, 1 Moorfield Road, Manchester, M20 2UZ
Flat 5, 1 Moorfield Road, Manchester, M20 2UZ
Flat 3, 1 Moorfield Road, Manchester, M20 2UZ
Flat 2, 1 Moorfield Road, Manchester, M20 2UZ
Holmfield Care, 4 Darley Avenue, Manchester, M20 2XF
3 Moorfield Road, Manchester, M20 2UZ
154C Barlow Moor Road, Manchester, M20 2UT
154B Barlow Moor Road, Manchester, M20 2UT
Flat 7, 6 Moorfield Road, Manchester, M20 2UY
Flat 6, 6 Moorfield Road, Manchester, M20 2UY
Flat 4, 6 Moorfield Road, Manchester, M20 2UY
Flat 2, 6 Moorfield Road, Manchester, M20 2UY
Flat 1, 6 Moorfield Road, Manchester, M20 2UY

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA