

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136876/FO/2023

Date registered valid: 31 July 2023

Proposal: Change of use of a ground floor barber shop (Class E) to a ground floor flat (Class C3) with associated elevational alterations.

Address: 54 Briscoe Lane, Manchester, M40 1JX

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Blair Cheekooree

Agent (if any): Mrs Cora Younger, Studio Charrette

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

Recommendation: Approve

Date of recommendation: 20 September 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 9 August 2023 Expired: 30 August 2023

Neighbour notifications

Printed: 9 August 2023 Expired: 30 August 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 application site relates to a two storey, end terraced property which comprises a vacant barber shop at ground floor level, with a 1 bedroom residential flat to the first floor.

The property which has been extended to the rear, includes an external staircase serving the first floor flat.



View of application property from Briscoe Lane

The property which immediately adjoins the back of the pavement along Briscoe Lane includes a roller shutter frontage at ground floor level. The front exterior has been rendered.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is predominantly residential in character, largely comprising two storey terraced and semi-detached dwellinghouses.

Description of development

Planning permission is sought to change the ground floor from retail (Class E) to a 1 bedroom flats measuring approximately 39 sqm, to create 2 flats in total.

External alterations are proposed to the frontage to include a new access door and new windows to replace the existing shop front.

To the rear, the existing door is proposed to be replaced by a door with top open window to retain a fire exit whilst also allowing internal ventilation

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services – Comments can be summarised below:

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, there are no concerns.

Site Accessibility

The site is well accessed by sustainable modes. Regular bus services are routed along Briscoe Lane and provides connections to Oldham and Piccadilly Gardens. Further bus stops are in place along Culcheth Lane and provides connections to Newton Heath, Chorlton and East Didsbury.

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

Parking

There is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. Considering the site's location and proximity to sustainable travel offer, this is acceptable in principle.

Cycle provision

A cycle store is in place in the rear of the site and provides parking for 2 cycles (1 per dwelling) and this 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.

Servicing

A refuse storage area is noted in the alleyway. It is understood that the large refuse bins are shared by 32 properties, and the addition of the dwelling will increase this to 33 dwellings. This is considered to be appropriate in ensuring no obstruction on the adjacent highway.

Environmental Health – No objection. Various conditions are recommended.

Planning History

018186

Construction of external staircase to 1st.floor flat. *Approved 14 October 1982.*

Policy

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

- Policies DM1, SP1, T2, H1, H4 and EN19 of the Core Strategy.
- National Planning Policy Framework (NPPF).

Issues

Principle

The ground floor unit is presently vacant. The re-use of the building for residential purposes would be desirable due to its location within a residential terrace and would add to the diversity of housing stock in the area. The property would meet space standards.

Due to the out of centre location of the site, the principally residential context of the immediate surroundings and the period of vacancy, the loss of retail floorspace is highly unlikely to have any detectable impact upon key retailing functions in the area.

It is considered that the re-use of the building for residential purposes would uplift the appearance of what is presently a vacant frontage, which presently detracts from the vibrancy of the street. The reuse of the ground floor would therefore improve natural surveillance and the appearance and function of the street-scene.

Whilst it is acknowledged that the new window openings to the proposed living accommodation would face directly onto the back of pavement, this is a arrangement typical of the area and that of the host terrace.

Given the above, it is believed the proposed change of use and associated elevational alterations would comply with the aforementioned policy and guidance. Specific planning issues are outlined further below.

Residential Amenity

The addition of a single, 1 bedroom flat within the context of a residential environment, coupled with the loss of a retail unit would result in lower levels of activity, along with any associated noise and disturbance.

The proposed elevational alterations would not introduce any overlooking or privacy issues.

On this basis, the impact to amenity is considered to represent an improvement beyond existing site conditions.

Waste Management

The applicant proposes the continued use of a communal waste storage area within the rear alleyway. Environmental Health require further details of a separate storage area for the flat proposed. A condition is included which notwithstanding details submitted, requires full details of the proposed arrangement to be agreed with Environmental Health.

Impact to the Highway

Due to existing site constraints, no off-road parking is proposed.

Highway Services consider that the addition of a single flat is not expected to generate trips that would impact upon local highway safety or the operation of highway. Moreover, in contrast to the authorised retail use, it is believed car movements and parking demand would be lesser for the residential use proposed. In comparison to the former use or potential re-use of the property for retail, the level of trips associated with the proposed dwellinghouse would be lower both in terms of the number and frequency of trips.

There is sufficient space in front of the property for roadside parking and this mirrors the arrangement for other properties along nearby streets. On this basis, the impact to the operation of the highway is considered acceptable.

Cycle Storage

Whilst the application indicates an existing cycle storage area in the rear yard, further information is required in terms of the arrangement. An appropriate condition is included to ensure satisfactory space, security and weatherproofing.

Climate Change

Given the existing authorised use of the premises for retail purposes and as no off-road parking is proposed, it is considered that there will be a net loss of vehicular movements and associated emissions. It is therefore believed that any impact to air quality or climate change would be negligible given the introduction of a single, 1 bedroom flat.

Other matters

Various conditions have been recommended by Environmental Health. However, given the former use of the ground floor and existing site conditions. including the lack of off-road parking or any ground works, these conditions are not considered necessary.

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 P1/A, P2/A and P4, received by the City Council as Local Planning Authority on 31 July 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, the ground floor flat hereby approved shall not be occupied until revised 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 residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

*The proposed flat needs access to its own bins and should include storage for all waste streams.

4) Notwithstanding details submitted, full details of a secure, weatherproof bicycle storage area shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The cycle storage area shall be implemented in full and made available for use prior to the ground floor flat hereby approved being occupied. The approved scheme shall remain available for use whilst the flat is occupied and retained thereafter.

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

5) 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) none of the apartments hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2020 (or any order revoking and re-enacting that Order with or without modification) the apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses 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(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels or 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 Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

3 Wellpark Walk, Manchester, M40 1JE
First Floor, 54 Briscoe Lane, Manchester, M40 1JX
51 Scotland Street, Manchester, M40 1LE
49 Scotland Street, Manchester, M40 1LE
94 Crawford Street, Manchester, M40 1LH
96 Crawford Street, Manchester, M40 1LH
47 Scotland Street, Manchester, M40 1LE
56 Briscoe Lane, Manchester, M40 1JX

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 -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA