

Planning

Growth & Development

Delegated officer report for planning application

Application no.	135463/FO/2022
Date registered valid:	14 November 2022
Proposal:	Erection of single storey side extension and a part single/part three storey extension to the rear to form an enlarged hot food take-away and 5 no. self-contained flats (2 x 2 bed, 3 x 1 bed); installation of external flue to the Birchfields Road frontage.
Address:	2 Meldon Road, Manchester, M13 0TZ
Ward(s):	Rusholme Ward
Applicant:	Mr Haseeb Butt
Agent (if any):	Mr Peter Entwistle, PCE Designs Ltd
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	14 June 2023



Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 4 January 2023

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

Printed: 24 November 2022 Expired: 15 December 2022

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/area

2 Meldon Road is an end of terrace part single/part 2 storey mixed use property situated at the junction with Birchfields Road. The property is in used as a hot food take-away on the ground floor with residential accommodation above, access to which is gained via an external staircase at the rear of the property. To the side and rear of the property there is a hard surfaced area used as car parking. Access to the hardsurfaced area is via Meldon Road. The rear element of the property consist of a 2 storey outrigger and a single storey lean-to extension. A total of 4 external flues have been installed on the outside of the property.

Despite the commercial parades on either side of Meldon Road, the area is predominantly residential in nature, consisting of 2 storey terraced and semi-detached dwellings. To the side of the property there is a food store, while to the front, on the opposite side of Meldon Road, there is a retail property. To the rear of the site stands a pair of semi-detached dwellings, while on the opposite side of Birchfields Road there are further dwellings.

Listed building: No

Conservation area: No

Tree Preservation Order: No

Description of development

The applicant is proposing to erect a single storey side extension and a part single/part three storey extension to the rear. This would allow the ground floor hot food take-away to expand its floorspace and for the creation of 5 no. self-contained flats (2 x 2 bed, 3 x 1 bed). In addition, the applicant is proposing to install an external flue to the Birchfields Road frontage.

Originally the applicant proposed erecting a three storey extension to the side and rear but the scheme was amended to that above.

Consultations & Notification Responses

Local Residents – No comments received.

Highway Services – Have made the following comments:

- Given that the proposed development is resultant in an additional 4no. of residential dwellings, the number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the proposals would not give rise to junction capacity concerns on the adjacent highway network.
- There is no on-site car parking associated with the development. All vehicular demands associated with the Takeaway extension (including long-stay vehicle parking associated with customers utilising the proposed internal seating area) and residential flats will therefore contribute to the level of vehicles parked on-street at Meldon Road/Birchfields Road where limited safe parking provision is available.

Environmental Health – Suggests the imposition of a number of conditions designed to protect public health and residential amenity.

Policies

The National Planning Policy Framework (July 2021) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Section 2, *Achieving sustainable development* – Paragraph 11, states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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.

Section 5, *Delivering a sufficient supply of homes* – Paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 65 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Paragraph 69 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Section 11, *Making effective use of land* – Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Section 12, *Achieving well-designed places* – Paragraph 126 states that the creation of high quality 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.

Paragraph 130 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 visually 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.

Paragraph 132 states that design quality should be considered throughout the evolution and assessment of individual proposals.

Paragraph 134 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

National Design Guide (January 2021) – The NPPF makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The National Design Guide (NDG) illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The relevant sections in relation to this proposal are as follows.

Context – The NDG states that well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary (para 41). It states

further, under paragraph 42 that well designed development proposals are shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it.

Identity – The NDG states in paragraph 50 that well-designed places, buildings and spaces have a positive and coherent identity that everyone can identify with, including residents and local communities; have a character that suits the context, its history, how we live today and how we are likely to live in the future; and are visually attractive, to delight their occupants and other users.

Built form – In paragraph 65 it states that well-designed new development makes efficient use of land with an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context. The NDG states further in paragraph 66 that built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context. The guidance states further under paragraph 71 that proposals for tall buildings require special consideration. This includes their location and siting; relationship to context; impact on local character, views and sight lines; composition - how they meet the ground and the sky; and environmental impacts, such as sunlight, daylight, overshadowing and wind. These need to be resolved satisfactorily in relation to the context and local character.

Homes and buildings – Paragraph 123 states that well-designed homes and buildings: provide good quality internal and external environments for their users, promoting health and well-being; relate positively to the private, shared and public spaces around them, contributing to social interaction and inclusion; and resolve the details of operation and servicing so that they are unobtrusive and well-integrated into their neighbourhoods.

In paragraph 129, the NDG states that well designed buildings are carefully integrated with their surrounding external space. All private and shared external spaces including parking, are high quality, convenient and function well and amenity space should have a reasonable degree of privacy. It states further that external spaces are designed to respond to local character. Paragraph 130 states that well designed private spaces should be fit for purpose and incorporate planting wherever possible.

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. Relevant policies in the Core Strategy are detailed below

Policy SP1, *Spatial Principles* – This policy states that beyond the Regional Centre and Manchester Airport, the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The policy states further that development in all parts of the City should:

- Make a positive contribution to neighbourhoods of choice including:
 - a) Creating well designed places that enhance or create character;
 - b) Making a positive contribution to the health, safety and wellbeing of residents;
 - c) Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;

d) Protecting and enhancing the built and natural environment.

- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible; and
- 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 H1, Overall Housing Provision – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of
- the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H5, Central Manchester – Central Manchester, over the lifetime of the Core Strategy, will accommodate around 14% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the Regional Centre (Hulme and the Higher Education Precinct) as well as within Hulme, Longsight and Rusholme district centres as part of mixed-use schemes.

Policy DM1, Development Management – This policy 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, odours, litter, vermin, birds, 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.

- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;

Year 2013 - Code Level 4;

Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

Issues

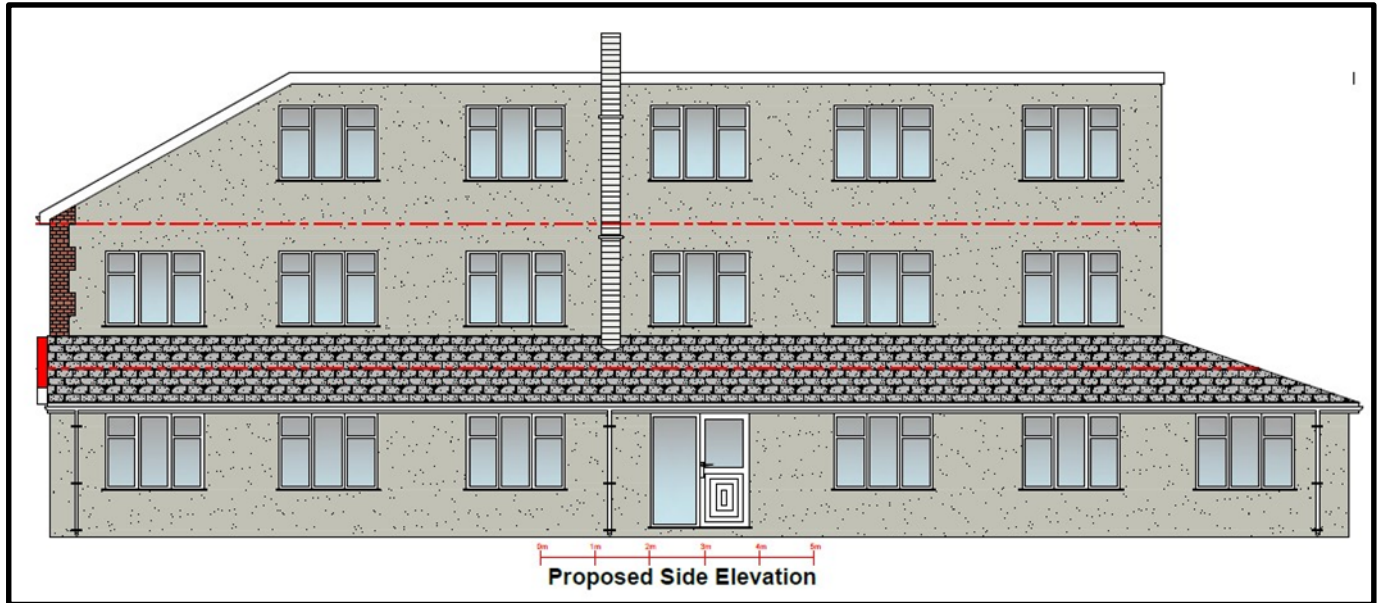
Principle of the Proposal – Extending a commercial property such as this is acceptable in principle and this is evident given the number of extensions present on the other commercial properties within this small parade. Extending a commercial property to provide residential accommodation above is also acceptable as apartment above shopping parades are evident throughout south Manchester.

However, this extension is considered excessive in size and is of a scale and massing that is out of character with the neighbourhood. Given this and the fact the scheme proposes five apartments with no useable private amenity space, it is considered that the proposal represents overdevelopment and as such it cannot be supported.

Design – The hip to gable roof extension, as viewed from Meldon Road, is considered acceptable and its design would not have a detrimental impact upon the levels of visual amenity enjoyed along that road. While the design of the single storey side extension is uncomplicated, it is forward of the building line so is considered unacceptable from a siting point of view.

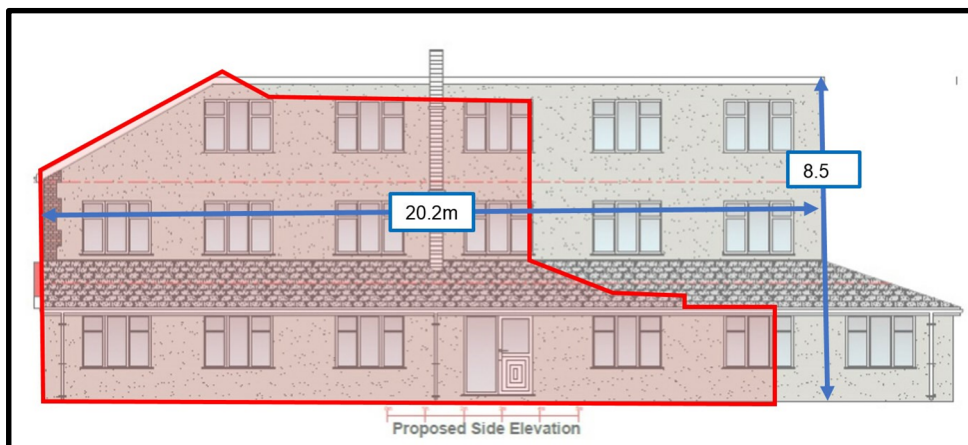


The biggest impact the proposal would have is upon the Birchfields Road frontage, as this element of the proposal presents a three storey building on a road that is predominantly made up of 2 storey buildings. As can be seen below, the proposal results in a large mass of development that lacks any architectural detailing, with the bland façade only being broken up by a flue that terminates above the ridgeline. Given the uninspiring and institutional like appearance, it is considered the proposal would form an incongruous feature in the streetscene and as a result have a detrimental impact upon existing levels of visual amenity.



Siting – The single storey extension would be sited forward of the established building line along Birchfields Road. This would form an incongruous feature and have a detrimental impact upon existing levels of visual amenity.

Scale and Massing – The area consists predominantly of two storey properties and though there are many instances of accommodation in the roofspace, it is recognised that this usually takes the form of dormers or gable features. In this instance the applicant is proposing to add a third floor and extend the length of the property by approximately 7.5m. This would result in a solid wall of development approximately 8.5m in height by 20.2m in length that would front onto Birchfields Road, a road characterised by 2 storey properties. Given the size of extension and its rather institutional design, it is considered the proposal forms an incongruous feature in the streetscene, much to the detriment of the existing levels of visual amenity enjoyed along Birchfields Road.



Living Standards – Given the ratio of building footprint to plot size there is little room for the provision of private amenity space. All that remains after the building and associated parking is a

strip of hardsurfaced area fronting Birchfields Road. This is considered insufficient for the future occupants.

Residential Amenity – The proposal would not lead to any overlooking or loss of privacy.

Car Parking – No off-street parking spaces have been proposed. However, given the presence of existing on-street parking space the lack of dedicated parking spaces for future residents is not considered sufficient reason to refuse the proposal.

Pedestrian and Highway Safety – It is not considered that the coming and goings of residents and visitors to the proposed accommodation would be of such a scale so as to prove detrimental to existing levels of pedestrian and highway safety enjoyed within the vicinity of the site.

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: Refuse

Article 35 Declaration

The proposal was assessed against the policies within the Manchester Core Strategy Development Plan Document (2012) and the guidance contained within the National Planning Policy Framework (2021). The applicant was advised that the proposal would have a detrimental impact upon the character of the area and the levels of residential and visual amenity enjoyed within the vicinity of the site. As the nature of the proposal is considered to be unacceptable and the applicant has requested that the proposal be determined in its current format, a solution that was acceptable to both the Local Planning Authority and the applicant could not be reached.

Reasons for recommendation to refuse

1) The proposed development, by reason of its design, scale and massing, would form an over dominant and incongruous feature in the streetscene. It would therefore be detrimental to existing levels of visual amenity enjoyed on Birchfields Road, contrary to Policies SP1 and DM1 in the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework and National Design Guide.

2) The proposed development, due to its design and the number of units proposed, would constitute overdevelopment and result in the provision of inadequate levels of useable private amenity space which would lead to the creation of poor living standards. As a result, the proposal would be contrary to the guidance contained within the Manchester Residential Quality Guidance, the National Planning Policy Framework, the National Design Guide and policy DM1 in the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

10 Birchfields Road, Manchester, M13 0XR

3 Meldon Road, Manchester, M13 0TZ

12 Birchfields Road, Manchester, M13 0XR

24 Birchfields Road, Manchester, M13 0XR

20 Birchfields Road, Manchester, M13 0XR

18 Birchfields Road, Manchester, M13 0XR

14 Birchfields Road, Manchester, M13 0XR

22 Birchfields Road, Manchester, M13 0XR

1A Meldon Road, Manchester, M13 0TZ

Floor Above, 6 Meldon Road, Manchester, M13 0TZ

6 Meldon Road, Manchester, M13 0TZ

Flat 3, 12 Meldon Road, Manchester, M13 0TZ

Flat 2, 12 Meldon Road, Manchester, M13 0TZ

Flat 1, 12 Meldon Road, Manchester, M13 0TZ

89 Birchfields Road, Manchester, M13 0UE

10 Meldon Road, Manchester, M13 0TZ

1 Meldon Road, Manchester, M13 0TZ

8 Meldon Road, Manchester, M13 0TZ

2A Meldon Road, Manchester, M13 0TZ

4 Meldon Road, Manchester, M13 0TZ

95A Birchfields Road, Manchester, M13 0UE

93A Birchfields Road, Manchester, M13 0UE

26 Birchfields Road, Manchester, M13 0XR

16 Birchfields Road, Manchester, M13 0XR

4 Craston Road, Manchester, M13 0US

2 Craston Road, Manchester, M13 0US

95 Birchfields Road, Manchester, M13 0UE

93 Birchfields Road, Manchester, M13 0UE

91 Birchfields Road, Manchester, M13 0UE

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) -
Area Team Boundary - Name: SOUTH AREA