

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135011/FO/2022

Date registered valid: 13 October 2022

Proposal: Erection of first floor rear extension to create extended living accommodation to existing upper floor flat with elevational changes to the rear

Address: 940 Stockport Road, Manchester, M19 3NN

Ward(s): Levenshulme Ward

Applicant: Mr Ijaz Ahmed, 940 Stockport Road, Manchester, M19 3NN

Agent (if any): Mr Ahmed Choudhry, NADA Architects, 169 Kingsway, Burnage, Manchester, M19 2ND

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2 February 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 4 October 2022

Standard consultations:

Printed: 18 October 2022 Expired: 8 November 2022

Neighbour notifications

Printed: 2 November 2022 Expired: 23 November 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is situated in Levenshulme District Centre between the Stockport Road junctions with Albert Road (north) and Farm Yard (south). To the eastern of the site is an operational railway line and to the north-east of the site is a door refurbishment business. The application property forms the end unit in a two-storey parade of shops and commercial uses. The parade is characterised by a distinctive metal frame canopy above a forecourt area. To the north the application property is adjoined by a two storey former public house that is being converted into a restaurant. Its elevation to Stockport Road projects beyond the building line to the parade.

The rear of the property is accessed via Farm Yard. Although access has been retained to neighbouring properties, the area adject to rear of the application site is substantially overgrown. The wider area is also overgrown and contains substantial clusters of Japanese knotweed. It appears that patches of knotweed are located adjacent to the rear yard door to the application property. Unlike some of the neighbouring units the rear windows to No 942 have not been enclosed with brick. The rear yard area is covered with corrugated metal sheeting.

Although concealed by advertising a separate access has been formed to an upper floor flat within the application submission it has been confirmed that the flat is currently vacant. The

existing ground floor barbers shop (Class E) would be retained. The proposed extension would be positioned above and existing single storey extension.



Fig.1 – Street frontage to Stockport Road



Fig.2 – Rear of 940 Stockport Road

Description of development

The proposed development involves:

- i. The partial reconfiguration of the ground floor to facilitate the formation of an extended corridor leading from the Stockport Road entrance to the flat leading to its repositioned staircase. A doorway would retain access between the retained shop and the corridor. Ground floor toilet facilities would be provided to the shop with retained access to the rear external area. A shared integral bin storage area would be formed within a former storeroom with external opening doors. The bin store would be shared by the ground floor Class E use and first floor flat.

ii. The ground floor has been extended to cover the full extent of the rear yard. The first floor extension would fully extend above the ground floor extension and up to the rear boundary. The internal space would comprise 1 x bedroom, living room, kitchen, shower room and storage.

iii. The proposed would have a rearward projection of 3 metres, the extent of the existing single storey rear extension that terminates at the western boundary of the site. The extension would form a hipped pitched roof with a height above ground level of 5.6 metres in relation to the existing eaves and 7.6 metres at the ridge, i.e., the maximum height of the building. A pair of square roof lights, separated by the dormer extension, would be positioned within the rear roof plane. The result roof space would be used for storage. The extension would be constructed in matching materials.

iv. At ground floor level the internal space would be re-configured to extend the corridor leading from the entrance to the first floor from Stockport Road to the re-positioned staircase to the first floor. The barbers shop would be reconfigured to form an additional WC with rear window, retained rear access door and bin storage enclosure access by external doors from the alleyway.

Consultations & Notification Responses

Local residents – No comments received.

Environmental Health – Clarification has been sought regarding the allocation of waste and recycling bins between the respective Class E and Class C3 uses.

Network Rail – No objection but Network Rail have requested a direct consultation with the developer prior to the commencement of works due to the proximity of the site to a railway boundary and to determine if the development would impact upon the operation of the railway. The proximity of the site to the railway boundary has been reviewed and a distance of the 23 metres would be maintained thereby exceeding the 10 metre consultation threshold identified by Network Rail for a further consultation with the developer. The application site is also separated from the railway boundary by a service yard and the site of a door refurbishment company. Notwithstanding the above, Network Rail comments have been forwarded to the applicant.

Issues

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 91). These considerations have been related to the layout and design of the proposed development and the incorporation of measures to address issues of security and potential opportunities for criminal and anti-social behaviour. The development is related to the curtilage of the existing property. Any required rear access would be via a secured service yard. The development would not present additional security issues and appropriate natural surveillance would be maintained through the position of the proposed kitchen window. Improvement to the quality of the accommodation would be beneficial to residential amenity. A condition has been agreed to address the treatment of Japanese knotweed adjacent to the rear access to the application property. The development would be related satisfactorily to chapter 8.

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

- a) Appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users; and
- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

The site is in a sustainable location in terms of access to local services and public transport. The development relates to the continued operation of a mix of Class E and Class C3 uses. The magnitude of the development would not result in a significant change in the intensity of occupation or otherwise affect the existing circumstances. Chapter 9 would be appropriately responded to.

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 consideration has been given to the following aspects of the PPG, which have been appropriately responded to:

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

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:

- i. 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;

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

iii. 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 development would improve the quality of the existing accommodation and thereby encourage its sustained future use. The development would also maintain the on-going operation of the barber shop. The development would not affect the existing circumstances with regard to the amenities and character of the area. On this basis, it is not considered that the development would be satisfactorily related to policy SP1.

Policy C 1 Centre Hierarchy - States that the development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre, District Centres and Local Centres. Policy C1 states that district centres, such as Levenshulme, have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. It further states that these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres.

Policy C 2 District centres - States that development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. The delivery of this floor space should respect the network of centres across the City and in neighbouring districts.

The development would maintain a mix of uses that would positively contribute to the vitality and viability of Levenshulme District Centre and thereby secure compliance with policies C1 and C2.

Policy EC9 South Manchester - States that within South Manchester, including Levenshulme District Centre, development proposals and planning applications should have regard to: ensuring efficient use of existing employment space; improving public transport, walking and cycling connectivity between residential neighbourhoods and employment locations such as the City Centre. The development would secure effective use of existing and new floorspace and maintain a limited local employment contribution in sustainable location. Policy EC9 would thereby be accorded with.

Policy EC1 Employment and Economic Growth in Manchester - The relevant sections of policy EC 1 include the contribution of the development to:

- o Improving access to jobs for all via public transport, walking and cycling;
- o Demonstrating that employment-generating development has fully considered opportunities to provide jobs for local people, through construction or use;
- o Ensuring the continued social, economic and environmental regeneration of the City;

The development would maintain the operation of the existing barber shop and its local economic and employment contribution within Levenshulme District Centre. Policy EC1 would not be accorded with.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester will be expected to achieve an appropriate standard of urban design, as identified in national planning guidance and have regard to the character area in which the development is located. The development would have a simple elevation form that has been satisfactorily relates to the existing building and accords with policy EN1.

Policy EN 14 Flood Risk – Requires an assessment of potential increased flood risk and mitigation. The development would be located in Flood Zone 1 and the scale of the development would not usually have a significant increase the risk of flooding.

Policy EN18 Contaminated Land and Ground Stability - States that any proposal for development of contaminated land must be accompanied by a health risk assessment. Specific risk has not been identified in this case.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how the sustainable waste management needs of the end user will be met. The development would deliver improvements to the arrangements for waste and recycling management. The development would be appropriately to policy EN19 would 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.

Policy T 2 Accessible areas of opportunity and need - The Council will actively manage the pattern of development and the relevant section of the policy states: that new development should provide appropriate car parking facilities, including meeting the needs of disabled people and the provision cycle parking.

In this case, the application site is located in a sustainable location with easy access to bus routes on Stockport Road. No cycle storage would be provided due to the constraints of the site. However, as there would be no change to the existing circumstances, it is considered that the development would be appropriately related to policies T1 and T2.

Policy DM1 Development Management - States that all development should have regard to the following specific issues, which are relevant in relation to the proposed development:

- 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;
- o Development should have regard to the character of the surrounding area;
- o Effects on amenity;
- o Accessibility;
- o Community safety and crime prevention;
- o Design for health;
- o Refuse storage and collection;
- o Vehicular access and car parking;
- o Flood risk and drainage.

As previously discussed, it is considered that the scale and magnitude of the proposed development would be appropriately related to et existing building and context without undue harm to residential amenity. Access arrangements would reflect the existing circumstances, ie, the continued provision of stepped access. The applicant has made appropriate arrangements for waste and recycling storage. New security concerns would not be raised by the

development. It is not considered that the development would impact upon the capacity or operation of the highway or increase flood risk. Policy DM1 would thereby be accorded with.

Unitary Development Plan (UDP) saved policy - The following saved policy is considered to be relevant:

Policy DC26 Development and noise - The following elements of policy DC26 are considered to be relevant:

Policy DC26.1 - The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City.

Policy DC26.5 - The Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

Noise issues have not been identified by Environmental Health. As there would no change in the relationship between the Class E and Class C3 use and acoustic insulation condition would not appear to be necessary. Policy DC26 would therefore be complied with.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems, which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes. In this case, discussions have been undertaken to secure appropriate arrangements for waste management and the potential use of the internal residential space. On this basis, sufficient information was provided to allow the planning application to be assessed.

Principle of the development – The development relates to established uses within the property, which are considered to be appropriate within a district centre. The additional built form would be proportionate and satisfactorily related to the neighbouring context. The principle of the development would therefore be acceptable.

Use of the proposed buildings – The proposed mix of uses is consistent with the existing circumstances and is therefore considered to be acceptable. The applicant has confirmed that the proposed rooflights would service the loft space that would be maintained as storage for the apartment and would not be used as accommodation.

Siting – The proposed extension would have no impact on the appearance of the streetscene. Consideration has been given to the relation to the projection of the proposed first floor extension and first floor windows to the adjoining restaurant at 936 – 938 Stockport Road. Works have been implemented relating to the restaurant and the siting of the extension is considered to be acceptable as the restaurant use to No 936 would not involve first floor residential use. The upper floor of the adjoining property is used in conjunction with the restaurant with first floor windows in closest proximity to the proposed extension being used for storage (in relation to Nos 936 and 938 and highlighted in red below in Fig.3). The position of the side wall to the proposed extension would screen the extraction flue to the rear wall of No 938, which would be beneficial to views of the site from the adjacent service yard. The applicant has indicated that the extension would align with the side (northern) elevation of a ground floor extension and be offset from the shared boundary and extend the western site boundary. It would thereby be contained within the application site. The rear access gate to 936 and 938

would be unaffected by the development. The relationships between existing and new built form is illustrated in Fig.3 and Fig.4.

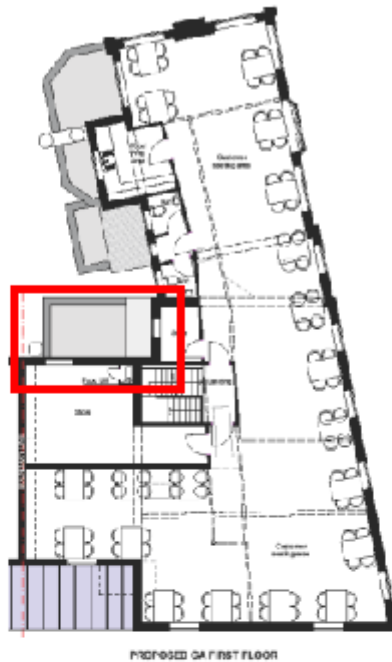


Fig.3 – Internal layout of the first floor of 936 – 938 Stockport Road



Fig.4 – Aerial view of 940 Stockport Road

Height, scale and massing – The height of the proposed roof would not exceed the existing ridge line and would relate. The extension would be substantial. However, it is not considered that the scale and massing of the extension would have an impact on the surrounding context, particularly as the upper floor windows to No 942 have been enclosed with brickwork and the windows to 936 and 938 relate to storerooms. On balance, the height and proportions of the extension would be appropriate in this context.

Waste management – The existing arrangements for waste storage are unclear and may have necessitate bins being located in the rear yard or within the building. The proposed waste management arrangements would improve the existing circumstances by providing a bin enclosure with sufficient capacity to support the reinstated Class C3 use. Whilst the existing waste storage and collection arrangements for the Class E use would be retained, the proposed bin store would have capacity to accommodate waste generated by the Class E use. On this basis, the proposed arrangements are considered to be acceptable.

Highway issues – The existing circumstances would be maintained.

Crime reduction and site security – The development would not raise new issues with regarding to on-site security. Residents principal access to the application property would be retained from Stockport Road and the rear access would be related to a secure yard area. An informative is included to ensure the incorporation of appropriate security measures.

Design – The proposed extension would improve the appearance of the rear of the property. The design has been related to the composition of the existing building, including the configuration of its roof. The proposed design is considered to be acceptable subject to a condition to ensure the use of matching materials.

Inclusive access -The existing property does not include inclusive access and the configuration of the site would not facilitate any change to this circumstance.

Japanese knotweed – The applicant has been advised of the confirmed presence of Japanese knotweed within the site and measures that should be undertaken to secure its removal by specialist contractor. An appropriate condition has been included to secure its appropriate treatment and eradication.

Network Rail - The submitted comments have been forwarded to the applicant and the issues raised would need to be addressed through dialogue between the developer and Network Rail.

Conclusion – The extension would be significant but acceptable given the surrounding context and the improvements to be delivered to the quality of the residential accommodation and waste management arrangements.

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. . In this case, discussions have been undertaken to secure appropriate arrangements for waste management and the potential use of the internal residential space. On this basis, sufficient information was provided to allow the planning application to be assessed.

Condition(s) to be attached to decision for approval

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 stamped as received by the City Council as local planning authority on 22 September 2022; 25 November 2022, 7 December 2022 and 15 December 2022:

Planning application forms

Location plan with a red edge Ref: (01)001 Rev PL1

Existing & proposed GA floor plans Ref: (03)001 PL2

GA site plan and elevation Ref (04)001 PL2

Bin collection point drawing

Design & Access Statement Ref (96)001 PL0 dated 13 September 2022

Email dated 7 December 2022 from NADA Architects confirming the use the roof space for ancillary storage in relation to the first floor residential use (Class E)

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 for the City of Manchester.

3) The materials to be used in the construction of the extension hereby approved, including bricks and roof materials, together with the method of coursing and pointing, shall match the existing building, in terms of colour, texture and appearance.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) The development shall be fully implemented in accordance with the arrangements for the storage and collection of waste and recycling bins as specified in the following drawing:
Existing & proposed GA floor plans Ref: (03)001 PL2 and Bin collection point drawing.

The approved details shall be implemented upon occupation of the development (including arrangements for the same day return of bins to the storage area following collection) and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester

5) Before first occupation the windows in the northern elevation as shown on drawings ref: Existing & proposed GA floor plans Ref: (03)001 PL2 and GA site plan and elevation Ref (04)001 PL2 relating to a ground floor WC and first floor shower room shall be obscure glazed 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Before the commencement of any earthworks or vegetation removal as part of the authorised development, application site shall be assessed by a specialist contractor to determine the presence of Japanese knotweed and / or any other invasive species that may be identified. If the presence of any invasive species is established details of the control and avoidance measures that have been and will be applied for its treatment and eradication, including the undertaking and provision of regrowth visits, shall be submitted to and approved in writing by the City Council as local planning authority. The agreed measures shall be fully implemented as part of the development and until written confirmation is received by the City Council as local planning authority to confirm the eradication of the identified invasive species.

Reason - To prevent the spread of Japanese Knotweed which has been found on part of the site and in the interests of residential amenity pursuant to policies SP1, EN18 and DM1 of the Core Strategy for the City of Manchester and The National Planning Policy Framework.

Informative

1) Guidance for developers can be found via the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) It is recommended that all new door, locks, lighting CCTV cameras and other security measures fitted as part of the development should accord with Secured by Design standards.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Network Rail

Adjacent 936 -938, Stockport Road, Manchester, M19 3NN
3 Albert Road, Manchester, M19 3PJ
Flat Above, 936 - 938 Stockport Road, Manchester, M19 3NN
853 Stockport Road, Manchester, M19 3PW
942 Stockport Road, Manchester, M19 3NN
Flat 2, 26 Bankley Street, Manchester, M19 3PP
24 Bankley Street, Manchester, M19 3PP
936 - 938 Stockport Road, Manchester, M19 3NN
855 Stockport Road, Manchester, M19 3PW
847 - 849 Stockport Road, Manchester, M19 3PW
944 Stockport Road, Manchester, M19 3NN
940 Stockport Road, Manchester, M19 3NN

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 (Middle) -
Area Team Boundary - Name: NORTH AREA