

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135308/FO/2022
Date registered valid: 8 November 2022
Proposal: Change of use of first floor office to form 1 x flat (Class C3)
Address: Workshop, Lonsdale Street, Manchester, M40 2FT
Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Abdul Aziz Shailk, Lonsdale Street, Manchester, M40 2FT
Agent (if any): Mr Mohammed Yaseen, 2 Keble Avenue, Oldham, OL8 4HN
Case officer: Adam Mitchell
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Recommendation: APPROVE
Date of recommendation: 12.01.2023

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 06 December 2022

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to a two storey brick built semi-detached property on Lonsdale Street adjacent to Oldham Road and lies within Newton Heath District Centre. The building is of traditional brickwork, albeit the ground floor level is finished in render.

The property originally built as a dwellinghouse, has in recent years been occupied by an accountant's office (Class E) at ground and first floor level. The first floor was predominately utilised as a storage area.

The building incorporates a rear yard enclosed by a high level secured gate accessed along Lonsdale Street. A rear courtyard is directly outside the property with a long rear garden occupied by the Syrian British Medical Society storage unit.

The application property sits adjacent to the main arterial route of Oldham Road to the site. Commercial and industrial units encompass the property to the west and north along the northern end of Oldham Road, beyond which are a number of industrial and residential dwellings.

Description of development

Planning permission to sought for the change of use of the first floor from an office to create a 1 x 2 bedroom flat (Class C3).

Consultations & Notification Responses

Local residents were notified however none responded.

Highways Comments:

In comparison to the former use, the conversion for residential use is unlikely to affect vehicle trips or parking demands.

The site is well accessed by sustainable modes. Whilst no on-site parking is being provided and considering the site's location and proximity to sustainable travel offer, as such, no parking concerns are raised from a Highways perspective.

It is recommended that secure cycle storage is provided as part of the development.

The boundary treatment should be visually permeable from a height of 600mm upwards.

It is understood the waste will be stored in the rear yard and bins will be taken from the bin store to the collection point on Lonsdale Street.

Environmental Health:

No objection to the proposal. Conditions are recommended with respect to waste management, air quality and acoustic insulation.

Greater Manchester Police:

No objection to the proposal. Various specifications are advised, relating to alarms, access controls, lighting, management and maintenance.

Policy

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

- Saved policies DC1, DC5 and DC26 of the Unitary Development Plan.
- Policies DM1, SP1, H1, H4, EC5, T2, EN16 and EN19 of the Manchester Core Strategy.
- The Guide to Development in Manchester (SPD).
- Residential Quality Guidance
- National Planning Policy Framework

Issues

Principle

Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable.

The proposal will contribute towards the housing growth strategy, ensuring that development takes places within the right areas to meet demands along with creating high quality places and neighbourhoods of choice.

The proposal will effectively reuse a currently depilated building and add to the diversity of the residential accommodation in the area and due to the position of the building adjacent to a high

frequent transport route within a busy district centre, the principle of an apartment can be supported in this location.

Specific planning issues are outlined further below.

Density/Balance of Accommodation

The proposal will deliver a 2 bedroom apartment. Internally the floorspace (70 square meters) exceeds the minimum floorspace advocated by the space standards contained within the Residential Guidance.

Whilst family sized accommodation is preferred rather than 2-bedroom apartments which encourage more transient living, the proposed apartment is unlikely to be attractive to families in this location within a busy district centre and with limited outside amenity space. As such the 2-bedroom apartment is considered acceptable pursuant to policy DC5 of Manchester's Core Strategy.

Residential Amenity

Policies DM1 and SP1 of the Core Strategy advocate that considerations should be given to effects of development upon the amenity, living conditions and the well-being of residents.

In this instance, the proposed development will introduce a residential use into the context of a predominantly mixed use environment within Newton Heath's district centre.

Due to the mixed use context of the immediate environment, it is not considered that the proposal will significantly alter the current levels of activity or create any undue, associated noise and disturbance or parking demand to such a degree that the amenity of nearby occupiers will be adversely affected. Further, given the location of the property along a key arterial route connecting North Manchester to the city centre situated along a parade of commercial units, it is not considered that the limited amenity space to the rear of the property would be significant to warrant a refusal.

Additionally, the other residential properties situated to the north and south of the application are at a suitable distance that the increased activity or associated noise and disturbance would not be significant, therefore the impact upon the neighbouring residential properties is considered acceptable.

As there are no changes to the external appearance with the fenestration elements being retained, no undue overlooking will result.

In order to prevent the property from becoming in multiple occupation, a Class C3 use restriction condition will prevent any potential over-intensification of use.

On balance, the impact upon the residential amenity is considered satisfactory.

Waste Management

Bins will be retained to the rear yard of the application site, with a secure locked gated entrance into the rear yard along Lonsdale Street. The apartment will have 3 separate bins and will be moved to kerbside via Lonsdale Street on collection day. Sufficient space is available within the rear yard to accommodate the total number of required receptacles for the flat. This arrangement is considered satisfactory in principle. Environmental Health have deemed that the

waste management strategy is sufficient to ensure adequate recycling arrangements are achieved.

Impact on the Highway

Whilst the City Council does not have any prescribed standards for residential properties, policy T2 of the Core Strategy and saved policy DC5 of the UDP state that all new developments, including flat conversions, should provide appropriate car parking facilities. Policy SP1 goes on to state that new developments should 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.

Due to the constraints of the site, it is not possible for any off-road parking. However, given the sustainable accessible nature of the site close to the high frequency transport route of Oldham Road and the limited availability of on-street car parking nearby, the impact upon the highway as a result of a vehicular trips and parking demand can be satisfactory sustained. Highways Services consider the impact acceptable.

To mitigate any harm and to encourage non car borne trips, cycle storage provision has been included within the submitted drawings that is acceptable to Highways initial comments.

Security

The proposed development's main access point retains the existing access point along the side elevation facing Lonsdale Street and through further mitigation measures such as access controlled doors and external lighting, any impact upon security can be satisfactorily minimised. An informative to this effect has been included and will require the applicant to implement the recommended security measures.

Climate Crisis

No parking is offered at the application site and it is anticipated that car ownership associated with the proposed flat is likely to be low.

Given that the proposal will result in an additional flat and due to its situation close to a busy public transport route, it is considered unlikely that there would be any harmful contribution to air quality or climate change. Further, Environmental Health have recommended an air quality condition be attached to any approve to reduce air pollution from the busy Oldham Road protecting future residents from air pollution.

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 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:

Elevations, Site & Floor Plans ref. AAS271022 stamped as received by the City Council as Local Planning Authority on 28 October 2022

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) The development hereby approved shall only be implemented in accordance with the waste management strategy as submitted in drawings documented: 'Bin Storage Area & Waste Proforma' received by the City Council as Local Planning Authority on 08 November 2022 . 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. No bins shall be stored on the highway, other than on the day of collection.

Reason- In the interest of residential amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

- 4) The bicycle storage area shown on Drawings numbered received by the City Council as Local Planning Authority on 28 October 2022 shall be implemented in full and made available for use prior to occupation of the flat hereby approved. The approved scheme shall remain in use whilst the development is occupied.

Reason- To ensure there is adequate bicycle parking provision, 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) the first floor flat 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 2010, 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) Prior to the commencement of the development, a scheme for a clean air intake shall be submitted to and approved in writing by the City Council as Local Planning Authority.

b) Prior to the occupation of the development any green mitigation measures shall be implemented and verified as such in writing by the City Council as Local Planning Authority and shall remain in situ whilst the use or development is in operation.

Reason- To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

- 7) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Oldham Road shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

b) Prior to first occupation of the residential units, 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 the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report

Reason- To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policies SP1 and DM1 of the Core Strategy.

Informatives

It is recommended that the flat is fitted with a monitored alarm system with PIR monitors, it should comply with either:

- o BS EN 50131 and PD 6662 for wired systems
- o BS 6799 for wireless systems

The flat entrance door must be compliant with and certified to BS PAS 24. It is advised that these doors do not have fixed sidelights, and are provided with door viewers instead.

Any external bin store should be a secure, lockable and fire resistant enclosure.

Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design standards.

Lighting

Dusk 'til dawn lights, operated by photoelectric cell/daylight sensor, should be installed to all external doors (manual override is also permissible).

External lighting must be provided to the side passageway and rear of the building, operated by photoelectric cell/daylight sensor (manual override is also permissible). PIR security lighting is not recommended for these locations and should not be employed unless advised.

Fittings should produce 'white' light, as opposed to yellow/orange light. Metal halide (or bulbs with a comparable output) should be used, as these offer superior colour rendition over alternatives such as high and low pressure sodium bulbs.

Management & Maintenance

The upkeep of a development over its lifetime can be crucial to the level of security and safety within. Aspects of a development, which are left to deteriorate, have the potential to attract further crime – a process known as 'the broken window theory'. A maintenance plan should be drawn up to address issues such as:

- Litter removal

- Repair to communal areas (lighting, signage, access controls)

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Environmental Health
Greater Manchester Police

Appendix 2 – Planning constraints

Article 4 Direction - Removal of PD Rights Change of Use from Class C3 to Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA