

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143956/P3GPA/2025

Date registered valid: 17 September 2025

Proposal: Prior Approval for conversion of first floor Office/ Storage (Class E) to 1 bed flat (Class C3)

Address: 151 Fog Lane, Manchester, M20 6FJ

Ward(s): Burnage Ward

Applicant: Mr Yewchen Chong

Agent (if any):

Case officer: Jake Walther
Tel: 0161 234 1632
Email: jake.walther@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6/11/2025

Application details

Type of application: Prior Approval - Class E to mix inc C3

Development type: Notifications

Date of site visit: 23/10/2025

Standard consultations:

Printed: 25 September 2025 Expired: 16 October 2025

Neighbour notifications

Printed: 25 September 2025 Expired: 16 October 2025

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

The application relates to a two-storey mid terrace property on Fog Lane; the building currently is retail commercial at ground floor (class E) and office (class E) at first floor. This section of Fog Lane is mixed in terms of its nature, consisting of parades of shops the with some residential class C3 dwellings nearby.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

The applicant is seeking prior approval for the change of use of the first floor from office (class E) to residential (class C3).

Consultations & Notification Responses

Highways – No objection. Request further clarification on cycle storage provision and waste storage collection point. These have been conditioned below.

Environmental Health – No objection. Advise noise and overheating insulation condition attached below.

Neighbours, as per Appendix 1 – No comments or objections received.

Policy

National Planning Policy Framework (December 2024) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning

system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

- An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It 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 visibly 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.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants. Communities, local planning authorities and other interests throughout the process (paragraph 131).

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.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

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 EN19 relates to waste and states that the Council will require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.

Policy DM 1 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 and 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.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Saved policy DC5 relates to flat conversions

DC5.1 states that, in determining planning applications to convert property to flats, the Council will have regard to:

- a. the standard of accommodation for the intended occupiers of the premises;
- b. effects on adjoining houses as a result of noise from flats passing through party walls and affecting adjoining houses;
- c. adequacy of car parking, off-street car parking being normally required where practicable, and essential where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created;

- d. general effects on the character of the neighbourhood, including the extent to which flat conversion schemes are a new or an established feature of the immediate area, avoiding the loss of front gardens and the retention of existing trees and shrubs;
- e. adequate private outdoor amenity space;
- f. the desirability of achieving easy access for all, including disabled people (as a minimum, access for disabled people will normally be required in conversions of ground floor accommodation);
- g. the satisfactory provision of refuse storage and collection facilities.

DC5.2 states that there will be a general presumption in favour of flat conversions within residential areas, on the upper floors of businesses within commercial areas and in properties on main road frontages, subject to other relevant policies of the Plan. They will be particularly welcome where large, old, difficult to re-use properties are involved, and where proposed schemes provide investment enabling the retention and improvement of housing stock.

DC5.3 States that, notwithstanding policy DC5.2, the Council will normally refuse permission for any developments in this category which:

- a. do not provide accommodation to the Council's current approved standards;
- b. are in tightly-packed residential streets where there is no scope for off-street car parking and where there is already an acknowledged problem of on-street congestion;
- c. involve conversion schemes without adequate private external amenity space;
- d. are schemes without satisfactory refuse storage and collection facilities.

DC5.4 States that, in determining applications of this kind, the Council will give particularly careful consideration to situations in which the conversion of small terraced properties are proposed; and where a scheme is the first in a street of otherwise single family dwellings, the Council will give weight to the desirability of maintaining the character of the street in that respect.

Saved policy DC26.1 states that 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. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

Issues

Class G of the Town and Country Planning (General Permitted Development) Order 2015, as amended, allows for prior approval applications to be made for development consisting of a change of use of a building from Class E to a mixed use for any purpose within Class E and as up to 2 flats;

Before beginning development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (i) contamination risks in relation to the building;
- (ii) flooding risks in relation to the building;
- (iii) impacts of noise from commercial premises on the intended occupiers of the development;
- (iv) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- (v) arrangements required for the storage and management of domestic waste.

Contamination risk:

The proposed use is at first floor and involves no works to ground.

Flooding risks:

The application site is at first floor therefore there is no risk of flooding.

Noise:

Environmental Health was consulted on the application and do not object to the proposal on the grounds of noise concerns. However further information is required to guarantee there is adequate noise insulation from Fog Lane and the ground floor commercial unit. It is however considered that this could be addressed by way of a planning condition.

Natural Light:

The Residential Quality Guidance states that maximising natural daylight is important, with emphasis that there should be larger windows, particularly to living areas, with an aspect of the sky and direct views of external spaces such as gardens, courtyards, streets, parks and open spaces. The quality of daylight is also important. Where possible, there should be direct sunlight into living spaces. The existing first floor unit includes two windows on the front elevation to the main living space these windows are south facing and look over Fog Lane. There is also a window on the side elevation at the rear, glazing surrounding the rear door at the rear and an additional rearward facing window for the bedroom. It is therefore considered there is adequate natural light for a residential dwelling.

Waste:

Further information is required from highways in relation to the refuse arrangements proposed. It is however considered that this could be addressed by way of a planning condition requiring the refuse arrangements to be approved, prior to occupation.

Conclusion:

For the reasons outlined above, the proposal is considered to be consistent with the requirements of Class G of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

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

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1. GPDO

The City Council is satisfied that the development would have no material, harmful impact as a result of contamination or flooding, and satisfactory arrangements have been made with regard to the management of domestic waste, noise and the provision of natural light to all habitable rooms. The proposal therefore complies with the requirements of policies SP1, EN19 and DM1 of the Manchester Core Strategy and saved policies DC5 and DC26 of the Unitary Development Plan for the City of Manchester, pursuant to Schedule 2, Part 3, Class G of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Approval is hereby granted in accordance with drawings referenced: P01, P03A, P04 and P05, stamped as received by the City Council as Local Planning Authority on 19 November 2024

2. Noise

NSE4(b) (Residential sound insulation AND overheating)

a) Notwithstanding details submitted, prior to the flat hereby approved being occupied, a scheme for acoustically insulating the proposed residential accommodation against external and internal noise sources shall be submitted to and approved in writing by the City Council as Local planning authority. The potential for overheating shall also be assessed and the noise insulation scheme should take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the approved flat is occupied.

b) Prior to first occupation of the residential unit, 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 shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - In order to safeguard the amenity of existing and future, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1 and DM1 of the Manchester Core Strategy.

3. Cycle Storage

The apartment shall not be occupied until full details of the space and facilities for bicycle parking, including means of enclosure, have submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed cycling parking space and facilities shall be implemented as part of the development and retained thereafter.

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

4. Refuse

Prior to first occupation of the residential unit, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The development shall have refuse storage space for segregated waste collection and recycling and internal and external storage areas are required. 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 amenity and public health, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 2, 149A Fog Lane, Manchester, M20 6FJ
Flat 1, 149A Fog Lane, Manchester, M20 6FJ
149 Fog Lane, Manchester, M20 6FJ
Ground Floor, 149 Fog Lane, Manchester, M20 6FJ
216 Fog Lane, Manchester, M20 6EL
155 Fog Lane, Manchester, M20 6FJ
36 Leafield Avenue, Manchester, M20 6EJ
218 Fog Lane, Manchester, M20 6EL
153 Fog Lane, Manchester, M20 6FJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA