

Application Number	Date of Appln	Committee Date	Ward
116753/FO/2017	17th Jul 2017		Chorlton Park Ward

Proposal Erection of a part three-storey, part single-storey building to form ground floor retail unit with four residential flats above, following demolition of the existing building

Location 318 Barlow Moor Road, Manchester, M21 8AY

Applicant Mr Bahman Rashidi , Piccolo restaurant, 61 Church Road, Gatley, Cheadle, SK8 4NG

Agent Mr Elliot Justin Giovacchini, Spazio Ltd, 27 Scholars Drive, Withington, M20 1AY

Description

318 Barlow Moor Road is located at the southern edge of Chorlton District Centre and is the end property of a staggered group of three, linked-detached, two-storey properties with commercial uses at ground floor and residential above. The group of properties has a large forecourt to the front and this is used for car parking in connection with the two end properties, and the middle unit has a raised decking area. All three properties have extensions to the rear of one and two storeys in height and there is almost 100% site coverage. There are terraces of residential properties directly to the north, divided from these three properties by an alley way. Directly to the south of the application site is a McDonald's 'drive-thru' and associated parking which extends to the rear of the application site. The application site is close to the junction with Beech Road, and the parade opposite is a mix of commercial and residential properties.



Aerial view of the property



The group of three properties with the application property on the right



View northwards towards the application property

The proposal involves the demolition of the existing property and the erection of a three- storey building which steps down to single-storey at the rear. The ground floor would form A1 retail space and there would be four apartments above.

The proposal has undergone a number of revisions to its design, scale and density following negotiations with the applicant.

Consultations and notifications

Local Residents/Businesses – Two neighbours have objected to the proposal on the grounds that it will exacerbate parking problems in the area and that it is too tall and out of character.

Highways Services – Initially raised concerns about the lack of parking, but following the reduction in number of apartments and the amount of cycle storage now proposed they do not raise an objection.

Environmental Health – Recommend conditions – hours of deliveries, construction management plan, acoustic attenuation, restriction of use class to A1 or A2 only, storage and disposal of refuse, and contaminated land.

Greater Manchester Police – Recommend a condition be attached requiring the development to achieve Secured by Design accreditation.

Policies

National Planning Policy Framework – The NPPF has been amended and the revised Framework came into force in July 2018. It sets out the Government's planning policies and how they are expected to be applied and is a material consideration in determining planning applications. The NPPF underlines that applications for planning permission must be determined in accordance with the development plan and maintains the emphasis on sustainable development.

Paragraph 68 - Small and medium-sized sites can make an important contribution to meeting the housing needs of an area.

Paragraph 80 - Planning policies and decisions should help create the conditions in which business can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 85 - Planning policies and decisions should support the role that town centre play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Paragraph 117 - 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 and making as much use as possible of previously-developed or 'brownfield' sites.

Paragraph 118 e) - Planning policies should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed and can maintain safe access and egress for occupiers.

Paragraph 124 - 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.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1

This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy H1

Proposals for new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours.

Policy H6

South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within District Centres as part of mixed use schemes. Outside the District Centres priorities will be for housing which meets identified shortfalls, including family housing.

Policy C2

This policy relates to District Centres and seeks to ensure that retail remains the principal use in Primary Shopping Areas, but also that provision is made for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. It encourages the development of employment to provide opportunities for local people and promotes the efficient use of land particularly through considering options for multi-storey development. New development should contribute positively to the reuse and regeneration of land and premises, together with wider regeneration and investment strategies, and to the diversity and mix of uses within centres without undermining their primary retail function. Housing is also considered an appropriate use within district centres.

Policy EN1

Design Principles and Strategic Character Areas - Development in Manchester will be expected to have regard to the strategic character area in which the development is located.

Policy T1

This policy promotes sustainable transport and encourages a modal shift away from car travel to public transport, cycling and walking.

Policy T2

The Council will actively manage the pattern of development to ensure that new development is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and education opportunities.

Policy DM1

This policy seeks to ensure that new development contributes to the overall aim of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities in particular by contributing to neighbourhoods of choice. DM1 covers the issues which need consideration and those relevant to this scheme are considered below.

Guide to Development in Manchester

- A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located and new development should be designed having full regard to its context and the character of the area.
- Preserve or enhance buildings and areas of architectural and historic importance together with their settings.
- Buildings should present their main face and pedestrian entrance to the adjacent main street, to contribute to its vitality and interest
- Buildings should relate well to each other. The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline.
- All residents should enjoy useable private amenity space wherever they choose to live in the City. All new developments should be designed to provide on-site amenity space which is fit for purpose and which is informed by, and relates to, the character of the area

Manchester Residential Quality Guidance

The City Council's Executive has endorsed the Manchester Residential Quality Guidance. Therefore the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making. Above all the guidance seeks to ensure that Manchester can become a city of high quality residential neighbourhoods and a place for everyone to live. The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings, based on the nationally-described space standards, and is suitable for applications across all tenures.

Issues

Principle

Chorlton District Centre is identified in the Core Strategy as a suitable location for high density residential development as part of mixed use developments. The

application site is in a sustainable location, characterised by a range of types and sizes of residential and commercial accommodation. Therefore subject to consideration of the detailed matters set out below the principle of the redevelopment of the site for mixed commercial and residential uses is considered to be acceptable.

Siting and layout

The proposed building would sit on the footprint of the existing property, maintaining the forecourt area to the front, the stagger in the terrace, and a small area of yard at the rear. Access to the shop, the residential and the bin and cycle stores would all be taken from the front, and visitor cycle parking would be located on the forecourt. The layout of the site is considered acceptable.



Visualisation of the proposed building together with properties to the north

Scale and massing

The overall bulk of the initial submission was of concern, particularly in its relationship to the rest of the terrace. The applicant has revised the scheme, and reduced the overall size of the building as well as the number of apartments. The building has three main sections: it is three storeys at the front, the middle section is also three storeys, but has a lower roof, and then the final section at the rear steps down to a single storey. It is acknowledged that the front element is taller than the existing buildings and the adjoining properties, but this is not a significant difference in height and it is considered that it has an acceptable relationship. The middle section of the proposal is also taller than the adjoining and the existing buildings, but the adjoining property has a single storey element here which covers the whole of the rear yard area and it is considered that the proposal would not have an overbearing impact. The property at the other end of the terrace is two storeys with dormers in the front roof slope and a two-storey element to the rear and it is considered that there would not be a significant impact on this property. The street scene and the character of the area is varied in terms of the scale and massing of surrounding buildings and it is considered that the proposal would sit well within its setting.



Visualisation of the proposed development

Design and appearance

There were initial concerns about the use of materials in the early iteration of the proposals as the building was to be white render throughout and considered inappropriate in this setting. The amended design is still contemporary, but using traditional materials of brick with timber and glazed detailing, and on balance it is considered to provide an improvement to the visual appearance of the street scene and to the southern extent of Chorlton District Centre. The final choice of materials will be agreed by planning condition to ensure that they are appropriate and of sufficient quality.

Parking

As no on-site parking is proposed, concern has been raised about additional pressure for parking. Generally the Council expects development proposals to balance the expectation for off street car parking provision with the need to reflect its commitment to sustainable transport, reducing emissions and congestion. Core strategy Policy T1 states that in order to encourage modal shift away from car travel, proposals that improve choice by developing alternatives to the car will be supported.

Core Strategy Policy T2 states that all new development in District Centres should provide 'appropriate' parking facilities and will take the circumstances of each case into account to establish what level is appropriate. It is acknowledged that there is pressure for parking in this area, but it is considered that the proposed development would not automatically result in increased car ownership and visitor traffic to the area. The site is located at the hub of a busy district centre in a highly sustainable location, well-served by public transport and it is considered reasonable to assume that future residents of the flats, as well as staff of the ground floor use would walk, cycle or use bus services to access home/work. The scheme includes residential and visitor cycle parking. Taking into account the number of apartments, the sustainable location and the cycle storage proposed, it is considered that additional demand for parking is likely to be modest and it is considered that the level of off-

street car parking provision that may result from the development would not warrant refusal of the application proposals.

Standard of accommodation

The proposal involves two-bedroom units with floor spaces varying from 64 square metres to 77 square metres and are therefore larger than the space standards guidance of 61 square metres for two-bedroom units. It is considered that the proposal would therefore provide a suitable living environment for future residents with adequately-sized rooms and a good standard of accommodation. Considering the size of the units to be created it is considered that a condition should be attached to prevent the individual units being converted to HMOs.

Disabled access

The ground floor commercial unit has level access and accessible toilet facilities.

Cycles

Secure cycles storage for the residential units is provided within the building at ground floor and would accommodate six cycles. Cycle stands are also proposed on the forecourt for and these could be used by visitors to and/or staff of the commercial unit.

Waste

The proposal includes separate bin storage areas at ground floor level for the residential and commercial units and these are well-located for disposal of waste by tenants and for collections. The residential storage includes provision for refuse, recycling and organic waste and Environmental Health have stated that the arrangements are acceptable. There is sufficient space within the residential units for refuse and recycling storage before its removal to the communal bin area. As there is no tenant identified for the commercial unit yet, the exact number and type of bins required is unknown. The storage space has, however, been provided based on the Council's guidance and would accommodate 3 x 1100 litre Eurobins. Environmental Health have requested a condition relating to the commercial element of the proposal so that once a tenant is identified, the waste storage requirements can be accurately assessed and appropriate provision made in terms of type and size of bins. The applicant has also stated that tenancy agreement will include an element to ensure that the pavement and forecourt areas to the front of the property are kept safe, clean and clear.

Affordable housing

The proposal includes only four residential units and therefore falls below the threshold for provision of affordable housing (15 units) and meets the exemption requirements of Policy H8 of the Core Strategy for the provision of affordable housing.

Sustainability

The applicant has submitted a short energy statement setting out that:

- They are committed to achieving at least 25% improvement in CO2 emissions over Part L requirements using a variety of building techniques and technologies;
- Electrical sub metering will be used for appliances which use substantial energy such as heating and air conditioning, in order to monitor energy usage effectively;
- External lighting will be controlled by PIR system;
- The average heat loss parameter across the whole site will be <1:12;
- 75% of fixed internal lighting in habitable areas will be dedicated energy efficient fittings;
- Security lighting will be designed for energy efficiency and fitted with dawn to dusk timers/sensors;
- Materials (including any timber) will be responsibly sourced;
- All insulation will have a 'zero Ozone depletion potential';
- SAP calculations will be provided as part of the Building Regulations application;
- The use of rainwater harvesting and grey water will be investigated.

Construction Management

Due to the location and position of the site it is considered necessary that details of a construction management plan are submitted for approval via an appropriately worded condition to ensure matters raised by Highway Services are addressed and that appropriate mitigation is in place to reduce disamenity to nearby residents and businesses.

Use of the properties as HMOs

The application proposals are for C3 flats. Due to the existence of the Article 4 direction, the change of use of any C3 residential property to a C4 House in Multiple Occupation in Manchester would require planning permission. In order to reflect the nature of the proposals submitted it is recommended that a condition be attached to any approval that the units are retained for C3 residential use.

Conclusion – Consideration has been given to the siting, scale, appearance and density of the development to ensure it provides a high quality development along with minimising the impact on existing and proposed residents. On balance it is considered that the proposed development would make a positive contribution in terms of improving the visual amenity of the area and is considered to conform with national and local policies.

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 the right to a fair hearing and to this end the Committee 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 Head 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 of the application 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 dealing with the planning application, particularly in relation to the scale and density of the proposal, the impact on the adjoining properties and in the street scene. The application has been determined in accordance with the policies within the Development Plan.

Conditions to be attached to the decision

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:

797-01-201r4 Site Plan
797-01-210r4 Ground Floor
797-01-211r4 First Floor
797-01-212r4 Second floor
797-01-215r4 Roof Plan
797-01-216r4 Waste Storage Plan
797-01-220r4 Side Elevation next to 316
797-01-221r4 Side Elevation
797-01-222r4 Rear Elevation
797-01-223R4 Front Elevation
797-01-230r4 Section AA
797-01-231r4 Section BB
797-01-280 Details
797-01-281 Details

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) No above ground level works hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

5) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

6) Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Council.

The Construction Management Plan shall contain the following:

- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Hours of working

The development shall be carried out in accordance with approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy SP1 and DM1 in the Core Strategy Development Plan Document.

7) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Barlow Moor Road and other actual or potential sources of noise on or near the site, including commercial and industrial premises, shall be submitted to and approved in writing by the City Council as local planning authority. Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation necessary. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to Policies DM1 in the Core Strategy Development Plan Document and saved UDP Policy DC26.

8) Prior to the occupation of the commercial unit of the development hereby approved, a scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. Internal and external 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 Policy DM1 of the Core Strategy.

9) The storage and disposal of waste for the residential units shall be undertaken in accordance with the Waste Management Strategy dated July 2017 and it shall remain in situ whilst the use is in operation.

Reason - In the interests of amenity and public health pursuant to Policy DM1 of the Core Strategy.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) no part of the premises 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.

11) Deliveries, servicing and collections, including waste collections, shall not take place outside the following hours:

- a. 7.30 am to 8.00 pm Monday to Saturday
- b. No deliveries or collections on Sundays or Bank holidays.

Reason - To safeguard the amenities of occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy.

12) The permitted hours of opening of the ground floor unit are to be agreed in writing with the City council as local planning authority prior to occupation of the units.

Reason - In order to protect the residential amenity of nearby residential properties, pursuant to Policies SP1 and DM1 of the Core Strategy.

13) Details of any roller shutters or security grilles to be installed within the development shall be submitted to and agreed in writing by the City Council as Local Planning Authority before they are in place. Roller shutters and grilles shall be of an open grille construction, with the housing for the mechanism recessed behind the plane of the wall where the mechanism is to be located and be colour-coated.

Reason -In the interests of visual amenity, pursuant to Policy DM1 of the Core Strategy

14) Upon the occupation of the shop units, any proposed roller shutters on the frontage of the proposed shop units and food store shall be open/raised from 9.00 a.m. until the business closes in the evening.

Reason - In the interests of visual amenity and order to ensure that the appearance of the building is in keeping with the character of the area pursuant to Policy DM1 of the Core Strategy.

15) Above-ground construction works shall not commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. Within six months of the occupation of the first unit, written confirmation of a Secured by Design accreditation shall be submitted to by the City Council as local planning authority.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 116753/FO/2017 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Environmental Health
Highway Services
Greater Manchester Police

A map showing the neighbours notified of the application is attached at the end of the report.

Relevant Contact Officer : Paula McGovern
Telephone number : 0161 234 4547
Email : p.mcgovern@manchester.gov.uk



 Application site boundary  Neighbour notification
© Crown copyright and database rights 2018. Ordnance Survey 100019568