



Planning Department,
Strategic Development Directorate
Manchester City Council
P O Box 532
Manchester
M60 2LA

BY EMAIL AND POST

17th March 2022

Dear

APPLICATION FOR PRIOR APPROVAL UNDER PART 3 OF SCHEDULE 2 TO THE 2015 GENERAL PERMITTED DEVELOPMENT ORDER ("GPDO") FOR CHANGE OF USE FROM COMMERCIAL, BUSINESS AND SERVICE USE (CLASS E) TO RESIDENTIAL DWELLING (CLASS C3) AT 39 GREAT ANCOATS STREET, MANCHESTER, M4 5AE

Please find enclosed with reference to Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), an application as to whether prior approval is required for the change of use of the above property from Commercial, Business and Service use to residential dwelling.

The following is submitted as part of the application:

- Application Form;
- Location Plan;
- Site Plan;
- Parking Arrangement Plan
- Existing Floor Plans;
- Application Fee Cheque of £100

The submission of this application is via hard copy as the Planning portal does not currently support the type of proposal. Whilst a digital copy has been sent via email to the planning department, I can send a further digital version of the application to officers, if required.

Context to this Application

With reference to Class MA of the Order, I can advise that the building has been vacant for over 3 months, is neither listed, nor a Scheduled Ancient Monument. It is also not located within a safety hazard area or a military explosives storage area. This building is located within a Conservation Area.

It is confirmed that the building, to which the application relates, was last used in association with the construction of the neighbouring building to the south. The building was used for a mix of equipment and material storage, and welfare for the construction workers associated with the construction activities on the site. This activity was begun within the building from mid-2017, and therefore meets the requirement to demonstrate that this was undertaken for a period of two years prior to this application (i.e. 15th March 2020).

Of relevance is also the fact that the building had previously been a residential dwelling. The change of use from residential to office was granted permission in December 2005 (MCC Ref: 077142/FU/2005/N1). This change was not however implemented. In the recent past the building has been used by the construction firm erecting the neighbouring residential block to the south. These activities fall within Use Class E of the GPDO, and would previously have been defined as a mixture of Use Class B1 (c) and B2.

Importantly, permission for the neighbouring block was granted at a time when the building subject of this application was in residential use, albeit with a historic/lapsed permission for a change to office use. This should aid the assessment of residential impacts, specifically noise, overlooking and sunlight.

Planning Considerations

As set out within the General Permitted Development Order, the relevant matters for consideration when determining this application are Transport & Highways, Contamination, Flood Risk, noise from commercial units affecting residents, natural light to all habitable rooms and if the conversion might affect business or similar area. The existing use is not a registered nursery or health centre and therefore there is no need to undertake an impact assessment.

I consider each in turn.

Transport and Highways Impact

This application is located on the main route of St Ancoat's Street, Manchester. Pedestrian access is directly from the frontage of the property on to a recently re-laid and refurbished footpath alongside the carriageway. There is no interference in the operation of the highway from the use of this building as a dwelling.

Vehicular access is via the rear of the property on to Gun Street. A single car parking space has been marked out on the attached plans to show the proposed parking arrangements for residents. The plans also show a vehicle track to show a large car stopping on Gun Street, and reversing into the car parking space, and then driving in a forward gear back onto Gun Street as it exists the site. The drawing also shows the visibility spay available to the diver of the vehicle when parked with the

This level of parking provision and arrangements for entry and egress and typical of similar sized dwellings within the city centre. These dwelling of course benefit from the wide variety of services and facilities that are within walking distance of the dwelling, as well as the local and strategic public transport nodes in the area.

On the basis of the above, it is considered that the proposed development is acceptable on transport and highways grounds and would not give rise to a material increase or a material change in the character of traffic in the vicinity of the site.

Contamination

An environmental search has not identified the site to be Part 2A land or at risk of being impacted by contamination. Any historic contamination of the site will remain undisturbed as a result of the change of use. A copy of the Landmark Enviroreport dated 8th March 2022 is attached for reference at Appendix 1.

On the basis of the above, it is therefore considered that contamination should not constitute a reason for refusing this application.

Flood Risk

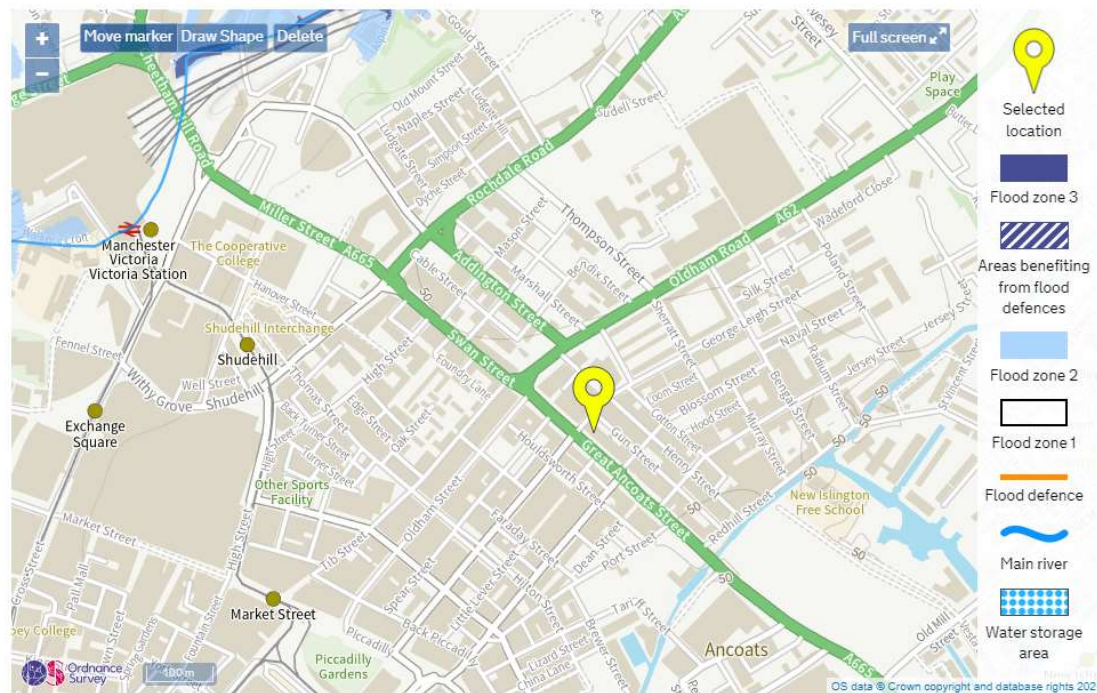
With reference to the Environment Agency's map, the property is identified as being in Flood Zone 1 (corresponding to a less than 1 in 1000 chance of flooding occurring each year). An extract of the Environment Agencies flood maps for the site is set out below.

Likelihood of flooding in this area

You can move the marker  on the map to identify a specific location.
Alternatively draw a shape to identify an approximate site boundary.

► [How to draw a shape](#)

[Download printable map \(PDF\)](#)



☒ Show flood zones

The property is also not known to be in an area with critical drainage issues. At appendix 2 the attached Drainage and Water Enquiry confirms that the site is not at risk of internal foul flooding due to overloaded public sewers.

On the basis of the above, it is therefore considered that flood risk impact should not constitute a reason for refusing this application.

Noise

We note the recent development of residential uses in the directly neighbouring the site and these uses have been established following a thorough assessment at planning

application stage of the noise environment, requirement for mitigation measures and assessment of the appropriateness of residential uses in this location.

The noise impact assessment for this neighbouring proposal concludes that:

“A Level 2 ProPG assessment is provided setting out how the acoustic design has mitigated noise levels as far as possible, both internally and for external amenity areas. The ultimate recommendation to the planning Decision Maker is that permission should be granted, subject to standard conditions relating to internal ambient noise levels and plant noise emission levels.”

Extracts of the Noise Survey are attached for reference at Appendix 3. Given that the noise environment remains unchanged it is reasonable to conclude that the residential use of 39 Great Ancoats St would similarly be acceptable.

It is therefore considered that there are no grounds for refusing this application on the account of noise impact from commercial premises.

Natural Light

At Appendix 4 the attached assessment provides an appraisal of the shadow/sunlight that is anticipated to directly hit the existing windows of the building. This appraisal demonstrates that the direct ‘sunlight’ is focussed on the main frontage of the building and that the rear is largely in shadow for the majority of a typical day. This shadow is largely down to the proximity and size of the neighbouring flats, which were granted planning permission when the subject building was in residential use.

For reference a sunlight assessment was submitted to support that application for the now constructed residential building to the south of the site. For reference the planning application (MCC Ref: 112256/FO/2016) was granted in Jan 2017. The Sunlight Assessment notes that:

"4.2.3 39 Great Ancoats Street is a three storey, pitched roof, building located to the immediate northwest of the site. It has windows in its various rear or Gun St elevations through which the site can be seen. The building is identified as residential use by virtue of a council tax band. However, the building is unoccupied and appears to be in a mothballed condition. Floor plans confirmed the windows serve a mixture of non-domestic and habitable rooms."

In assessing the impact of the proposed new building on the amenity of 39 Great Ancoats Street the assessment concludes as follows:

"7.1.19 There are 9 windows in the rear elevations of 39 Great Ancoats St, many of which do not achieve the alternative VSC targets in the existing or baseline condition. The proposed scheme will reduce daylight and amenity further to the extent that can be categorised as a possibly significant to significant impact."

7.1.20 However there are mitigating factors that justify the further flexible interpretation of the technical analysis results in determining the significance of impact of the proposed scheme on this neighbouring property. Many of the windows are located beneath projecting structure or within nooks and crannies and recesses within the building elevations. The BRE warn of the effects of projecting structure above windows and this sentiment can equally be applied to elevation recesses - see section 5.4 of this report."

7.1.2 That many of the windows have low existing VSC values means that even small reductions in sky light will result in an exacerbated magnitude of change which has the effect of placing an unfair and increased daylight burden on the site."

As such the property at 39 Great Ancoats St has been assessed as a sensitive receptor (residential use) and whilst some impacts are noted as a result of the recent development to the south, there are also a number of mitigating factors identified. In essence the assessment concludes that the elevation of the building is constructed in such a way that the BRE (Building Research Establishment) cautions that such design features can place an unfair and increased daylight burden on a neighbouring site.

Extracts of the Sunlight Assessment are attached at Appendix 5 for reference.

It is therefore considered that there are no grounds for refusing this application on the account of inadequate daylight.

Summary

The proposal entails the change of use of existing Class E floor space to a Residential Dwelling (Class C3) without any external works. As demonstrated above, in my view, it would not give rise to impacts which would require planning permission from the local planning authority.

I look forward to your consideration of this application. If you have any queries in relation to the property or proposal, please do not hesitate to contact me as agent on behalf of the building owner.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stuart Vendy', written over a thin red vertical line.

STUART VENDY, DIRECTOR

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Encl.