

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132963/FO/2022

Date registered valid: 3 March 2022

Proposal: Conversion of internal parking area to bin store to create a trade counter and cash and carry (sui generis), together with the installation of new shopfront, external roller shutters and new bin store access

Address: 9-13 Broughton Lane, Manchester, M8 9TY

Ward(s): Cheetham Ward

Applicant: Mr C Gee, 56 Carrwood, Altrincham, WA15 0EP

Agent (if any): Mr Chris Smith Plan A (North West) Limited, 32 Aughton Road, Southport, PR8 2AG

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approved

Date of recommendation: 4 May 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 14 April 2022

Standard consultations:

Printed: 11 March 2022 Expired: 1 April 2022

Neighbour notifications

Printed: 10 March 2022 Expired: 31 March 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

The application site relates to a two-storey block which accommodates multiple commercial units (6) at ground and first floor level. The site is bounded by Broughton Lane to the north, Willow Street to the west and Vega Street to the east. To the south is further commercial block which is separate from the application building by an alleyway. Further south is courtyard style, commercial estate of similar uses.

The host block immediately adjoins the back of pavement and are currently occupied by a range of businesses, including mobile phone repair providers, cash and carry wholesalers and hot food takeaways. The units are supported by four off-street parking spaces located in a garage area accessed from Willow Street. The units all share waste disposal facilities located within communal areas and on the pavement.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is situated within a predominantly commercial area, a short distance from the main arterial route of Bury New Road and within the designated 'workshop village' as defined by the Strangeways Local Plan.

The area is dominated by small scale wholesale and warehouse units selling a variety of goods, as well as a small number of food and drink uses. The immediate area comprises an estate of commercial units, with the site lying close to the main north/south route of Bury New Road. Other nearby uses include a petrol filling station and casino.

The site is within Flood Zone 3.

Description of development

Planning permission is sought to create a single, large, internal bin store to meet the needs of tenants of the commercial block.

It is proposed to replace part of an existing internal parking area to displace two spaces, together with the creation of small trade counter and cash and carry (sui generis) unit (approx. 12 sqm) in the residual space, with space for two vehicles also retained.

Access for the bin store is proposed from Willow Street via an alleyway to the side (southern elevation) with new roller shuttered opening. The bins are to be allocated to specific occupiers, with each hot foot takeaway tenant having its own bin. The other ground floor occupiers are to either share a bank of bins for general waste, plastics and cardboard, or be allocated their own bins. A separate smaller bin storage area accommodating three 360 litre bins for general waste, plastics and cardboard is to be delivered separately off Willow Street to serve the first-floor units. All waste collections are to be arranged via a contractor.

Access to the remaining parking spaces and cash and carry unit is proposed directly from Willow Street, with the commercial unit to incorporate a new, ground floor, glazed shop front. The large, existing roller shuttered frontage is to be replaced by two smaller roller shuttered openings of the same design.

The application follows in part from existing issues surrounding fly tipping and general littering in the street which has prompted the Council's Neighbourhood Services team to request that the matter be resolved. The application is therefore a proposed solution, enabling waste management to be consolidated and property managed.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Flood Risk Management - The Site is within Flood Zone 3, and within historic flooding extents recorded in both EA and City Council data.

The Site is within an EA flood warning area.

The vulnerability classification table is not exhaustive and does not include parking. The national planning guidance was checked for a benchmark which indicates the existing use (parking) would be considered lower vulnerability than the proposed use (commercial) in a mixed-use development.

This benchmark combined with the demonstrated flood risk to the site means that it is considered that the change of use results in a change in Flood Risk Vulnerability Classification and mitigation measures are required. A condition requiring mitigation measures is requested.

Environmental Health – It is requested that waste provision/capacity be increased. Conditions are advised in relation to external equipment (if any is proposed) and compliance with an agreed waste management strategy.

Greater Manchester Police (Design for Security) – It is advised that the proposed roller shutters and doors should be certified to LPS1175.

Highway Services – It is noted that the site is well accessed by sustainable modes. The following points are made:

Trip Generation

In comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such no highways concerns are expected.

Parking and Access

There are 4 existing car parking spaces on-site. The removal of part of the internal parking area to install the additional unit and waste store will reduce the parking spaces to 2. It is understood that the parking spaces will be used by customers using the cash and carry service. These parking spaces will be within a garage that is accessed via Willow Street. It is noted that an existing vehicular crossover is present in this location in order to facilitate this access.

EV

It is required, in line with MCC Guidelines, the provision of an Electrical Vehicle charging point (minimum 7kW) should be made available.

Cycle Parking

Sand sheltered cycle parking provision should be made, within the curtilage of the site, for the accommodation of staff/ visitor cycles.

Roller Shutter

It is understood that the new roller shutter do not extended outwards and will not overhang over the adopted footway.

Servicing

A waste storage area is proposed as part of the application. The waste store will be located behind the new proposed unit and accessed externally via the gated alleyway adjacent to the property. The waste store can be accessed internally via the garage.

An appointed contractor will collect the bins from the proposed waste storage area and return them when emptied. This is considered to be appropriate in ensuring no obstruction on the adjacent highway.

It is requested that the parking restrictions are adhered to and any deliveries or servicing takes place outside of these times.

The Transport Statement notes the importance of a servicing strategy due to the site's location and the adjacent businesses. Therefore, it is requested that a Service Management Strategy is developed and be conditioned as part of the planning application.

Policy

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

- Saved policies CC10 and DC26 of the Unitary Development Plan for the City of Manchester;
- Policies DM1, SP1, EC1, EC4, CC1, T2 and EN14-19 of the Manchester Core Strategy;

- Strangeways Local Plan;
- National Planning Policy Guidance;
- National Planning Policy Framework (NPPF).

Issues

Principle

Policy and in particular, the Strangeways Local Plan, recognises the site as being within the warehouse district and therefore further businesses which support economic growth in the area are generally welcomed.

Saved Policy CC10 of the UDP encourages the continued high level of economic activity in Strangeways and lower Cheetham Hill Rd areas, recognising particularly the needs of the wholesale trades which dominate these areas, whilst Policy EC4 promotes economic development in north Manchester and specifically identifies the Strangeways Employment Area as being 'suitable for retention and growth of general industry, warehousing and distribution'.

Aligned to this, Policy DM1 advocates that all development shall consider the effects on amenity, including litter and that new development should consider the adequacy of refuse storage and collection.

Given the overarching policy context, it is considered that the general principle of the proposed development would be acceptable in this location, although other issues surrounding amenity, design, environmental issues, servicing and the impact on the highway also need to be considered. These issues are explored further below.

Visual Amenity

The proposal development will result in external changes to the appearance of the building. Namely, a new roller shuttered entrance to the side elevation facing the alleyway and the replacement of a single, large roller shuttered opening to Willow Street, with a two, smaller roller shuttered openings of the same design. To one of the openings, a new, ground floor shopfront is proposed, comprising full height glazing set within an aluminium frame.

The new roller shuttered opening to the side (south) elevation, would be largely unseen, due to the position of the neighbouring building which encloses the site.

To Willow Street, the proposed shop front and rollers shutters mirrors the design, materials and proportions of existing openings within the host block and is of a comparable design to neighbouring buildings in the wider, commercial area. Given the immediate context, it is considered that the proposed alterations will easily assimilate into the fabric of the street-scene, with no harmful effects to either the appearance of the existing building or the character of the area.

Impact to the Highway

Saved Policy CC10 relates specifically to the Cheetham area of Manchester and whilst it recognises the economic importance of wholesaling in the area, it advocates that permission should only be granted where proposals incorporate sufficient parking and servicing for their own needs.

Highway Services have assessed the proposal and raise no concerns.

It is agreed that the application site is situated within a sustainable location, accessed by a choice means of transport.

The modest amount of floorspace proposed (12 sqm) is highly unlikely to generate a high degree or frequency of vehicle movements or demand for parking. In any event, there are extensive parking restriction in the area which would prevent on-street parking.

Whilst the proposed use will result in the loss of 2 off road spaces, given the nature of the use, which is not intended to be open to the general public, but rather trade customers, the loss of space is considered negligible and any demand for staff parking could be adequately catered for by the remaining two spaces. As such, the impact upon parking and the operation of the highway can be sustained in this instance.

In terms of servicing, this is to be undertaken from the highway along Willow Street, as parking restrictions do not prevent loading and unloading and the road width is sufficient for through access. Further, the host building already operates in these conditions and the timing and frequency of deliveries and waste collections etc. would remain unchanged. Indeed, the situation to the highway is likely be improved, due to having a single waste collection location, rather than the multiple locations at present. On this basis, the impact to the highway is considered satisfactory.

Other Highway Issues

Whilst Highway Services recommend cycle storage be included, it should be noted that the proposed development predominantly relates to existing operations, with only a small amount of additional floorspace proposed. Further, there is no space externally for such storage. Should staff wish to cycle, they will be able to store bikes internally within the premises,

The premises is only open to trade customers who are more likely to use other modes for travel for the collection of goods and therefore it is not considered that cycle storage provision would be of little use on this occasion.

Further, given reports of the high crime rate in the area and the unsuitability of external areas for cycle storage, it is not believed that there would be any tangible benefit of providing such a facility on this occasion.

Highway Services also recommend the provision of an electric vehicle charging point. However, the proposed development relates to an existing parking area, albeit with the reduction of 2 space. Given the parking area represents an existing situation, it is considered onerous in planning terms to request electric vehicle charging provision.

Waste Management

The proposed bin storage facilities will address an existing waste issue in an effective and controllable manner.

The allocation of bins to specific occupiers will ensure that each business, but particularly the hot food takeaways, is able to implement an effective waste management strategy that manages odour, vermin and littering in an appropriate manner.

The total capacity of the waste containers has been calculated to exceed the demands of existing occupiers. in order to remove the potential for overspill or fly tipping.

Furthermore, the storage of the waste internally will ensure that it is not visible on the street scene.

During the course of the application, further details were requested in relation to the capacity and frequency of collection for receptacles associated with the hot food takeaways units. Updated details have subsequently been received to the satisfaction of Environmental Health and a condition has been included to ensure compliance with the revised strategy. On this basis, the waste management arrangements are considered acceptable and an improvement on the existing situation.

Flood Risk

The site is situated within Flood Zone 3 and therefore is in area at a high risk of flooding.

In this case, the proposed development is considered, for matters associated with flood risk, to be a 'minor development' and therefore it is not necessary to consult the Environment Agency.

The application has however been appraised by the Council's Flood Risk Management team who advise that a number of measures surrounding finished floor levels and safety measures.

These has been included within an appropriate condition.

Climate Change

Given the modest level of vehicular trip generation proposed, in comparison to the existing use of the site, it considered unlikely that the proposed development would result in a significant change in air quality as a consequence of vehicular emissions and therefore the impact to climate change is believed to be satisfactory.

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:

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 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:

Drawings referenced C-0472-15, C-0472-SLP and C-0472-10/D received by the City Council as Local Planning Authority on 17 February 2022, 3 March 2022 and 12 April 2022 respectively.

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 change of use hereby approved shall not become operational unless and until flood resilient measures have been submitted to and agreed by the City Council as Local Planning Authority.

-The internal and external levels shall be set in accordance with government Standing Advice;

- If finished flood levels cannot be raised 300 mm above the estimated flood level, flood resilience and resistance measures must be demonstrated in the design;

-Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans should be demonstrated.

The development shall only be implemented in accordance with the agreed details.

Reason - The site is situated within Flood Zone 3 and the measures are necessary in order to reduce the risk of flooding, pursuant to national guidance within the National Planning Policy Framework (NPPF) and policy EN14 of the Manchester Core Strategy.

4) The materials to be used for the external alterations (including roller shutters) hereby approved shall match those of the existing building in type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

5) The premises shall not be open outside the following hours:-

10.00 to 22.00 hrs daily.

Reason - In interests of amenity, in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) Prior to the development hereby approved becoming operational, a Servicing Strategy shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The strategy shall include details of the number and frequency of deliveries/collections, vehicle sizes, delivery times, access and safety arrangements. The agreed Strategy shall be implemented as part of the development and remain in use so long as the approved uses are operational.

Reason - To mitigate harm to the operation of the highway and the amenity of noise sensitive occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

7) The development hereby approved shall only be implemented in accordance with the waste management strategy detailed on drawing referenced C-0472-10/D and within the accompanying waste management pro forma received by the City Council as Local Planning Authority on 12 April 2022 and 27 April 2022 respectively.

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

8) For the avoidance of doubt, the commercial unit hereby approved shall be used for retail sales (Use Class E).

Reason - To ensure the premises are used for wholesale purposes only, pursuant to saved policy CC10 of the Unitary Development Plan for the City of Manchester.

Informatives

1) City Council records highlight that the underground River Irwell Tributary (Strangeways) is located within close proximity to the site (approximately 25m to the north of the site). Whilst the Council records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all City Council underground assets. Therefore, it is requested that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during any excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and the City Council should be contacted immediately.

2) Any new signage may require separate advertisement consent. The applicant is advised to check with the City Council as Local Planning Authority prior to the installation of any signage or advertisements.

3) Greater Manchester Police advise that the proposed roller shutters and doors should be certified to LPS1175.

4) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Salford City Council
Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

34B Vega Street, Manchester, M8 9TW
34A Vega Street, Manchester, M8 9TW
35 Moulton Street, Manchester, M8 8FQ
34 Moulton Street, Manchester, M8 8FQ
27A Vega Street, Manchester, M8 9TW
Unit G, 17 - 23 Broughton Lane, Manchester, M8 9TY
Unit E, 17 - 23 Broughton Lane, Manchester, M8 9TY
Unit D, 17 - 23 Broughton Lane, Manchester, M8 9TY
Unit H, 17 - 23 Broughton Lane, Manchester, M8 9TY
Unit F, 17 - 23 Broughton Lane, Manchester, M8 9TY
Unit B, 17 - 23 Broughton Lane, Manchester, M8 9TY
25B Vega Street, Manchester, M8 9TW
25A Vega Street, Manchester, M8 9TW
3 Rugby Street, Manchester, M8 9SN
5 Broughton Lane, Manchester, M8 9TY
7 Broughton Lane, Manchester, M8 9TY
1A Rugby Street, Manchester, M8 9SN
FUTURE FONES LTD, 27 Vega Street, Manchester, M8 9TW
3 Willow Street, Cheetham, Manchester, M8 9DY
1 Willow Street, Cheetham, Manchester, M8 9DY
VIBE CENTRE LTD, 1 Rugby Street, Manchester, M8 9SN
Unit C, 17 - 23 Broughton Lane, Manchester, M8 9TY
Unit 1A, 17 - 23 Broughton Lane, Manchester, M8 9TY
13E Broughton Lane, Manchester, M8 9TY
13D Broughton Lane, Manchester, M8 9TY
13C Broughton Lane, Manchester, M8 9TY
13B Broughton Lane, Manchester, M8 9TY
13A Broughton Lane, Manchester, M8 9TY
23 Vega Street, Manchester, M8 9TW
36 Moulton Street, Manchester, M8 8FQ
17 - 23 Broughton Lane, Manchester, M8 9TY
11 Broughton Lane, Manchester, M8 9TY
25 Vega Street, Manchester, M8 9TW
13 Broughton Lane, Manchester, M8 9TY
36A Moulton Street, Manchester, M8 8FQ

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -
Benefitting From Flood Defences -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1