

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130402/FO/2021

Date registered valid: 17 November 2021

Proposal: Elevational alterations in connection with the sub division of the building to create 4 cash and carry units (sui generis)

Address: 76 Sherborne Street, Manchester, M8 8NU

Ward(s): Cheetham Ward

Applicant: Messrs Kappour Investments Ltd, 34 Larch Gardens, Manchester, M8 8BJ

Agent (if any): Amar Singh Egan, 42 Woodhall Avenue, Manchester, M45 7QF

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

Recommendation: Approve

Date of recommendation: 23 February 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 25 November 2021

Standard consultations:

Printed: 18 November 2021 Expired: 9 December 2021

Neighbour notifications

Printed: 18 November 2021 Expired: 9 December 2021

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 detached, two storey, flat roof, 'L' shaped building currently in use as a fashion focused cash and carry.

The premises incorporates a shop frontage to one part of the building and includes a shop frontage to the ground floor, with large, full height, display windows to the first floor.

To the front, is a small servicing area, enclosed by metal railings.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The site is situated within the warehouse district of Cheetham as identified by the Strangeways Local Plan and saved policy CC10 of the Unitary Development Plan. The immediate area is dominated by various wholesale uses and general industrial buildings comprising low-rise buildings with large floor plates.

In terms of the immediate surroundings, the immediate area comprises building of a comparable scale and occupied by businesses centred around warehousing, storage and distributive trades.

Diagonally opposite the site to the north-east and on other side of Sherborne Street Street is Cheetham Park. Beyond this, the area becomes more residential in character.

Description of development

Planning permission is sought for elevational alterations to the building frontage to facilitate sub-division of the premises to form 4 separate cash and carry businesses.

In terms of elevational alterations, it is proposed to insert new windows to the main, front elevations and to brick up window openings to the front elevation which is set back furthest from the road the side return of the main building.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health – Conditions are recommended in relation to waste management and external equipment (if any is to be installed).

Highways Services - No additional floor space is proposed as part of the development.

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.

It is understood that the car park will be retained. It is requested that the number of parking spaces is confirmed. For the avoidance of doubt parking spaces should meet the minimum standard of 2.4m x 4.8m and an aisle width of 6.0m should be in place between sets of parking bays.

A bin store is in place within the car park. It is understood that bins will be taken to/from the collection point on Sherborne Road by staff on collection day. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway.

Four new entrances are being installed as part of the proposals. Two will be situated within the car park and two on Sherborne Street. It is requested that these entrances have inward opening doors to ensure they do not impact on the adopted footway or highway.

The existing access to the car park is to be retained. Inward opening gates are in place and Highways accepts this arrangement.

It is requested that dropped kerbs and tactile paving be installed at the existing access should the planning application be approved.

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-EC3, T2, EN3 and EN14-19 of the Manchester Core Strategy;
- Strangeways Local Plan;
- National Planning Policy Guidance;
- National Planning Policy Framework (NPPF).

Planning History

No records.

Issues

S.55(2)(f) of the Town and Country Planning Act (1900) implies that the subdivision of a planning unit is not development provided the use class remains the same, although an exception is made in the case of the use as two or more separate dwellinghouses of any building previously used as a single dwellinghouse, which does involve a material change in the use of the building.

As such, in this case, the sub-division of the units does not itself require planning permission. The only issues for consideration relate to the visual impact of the elevational changes and issues surrounding intensity of use.

It is considered that the addition of new external openings are acceptable and unlikely to give rise to any significant or negative impact to visual amenity or the appearance of the street-scene. It is believed that subject to the use of appropriate materials, the changes will actually improve the frontage of the building by allowing a more transparent and open frontage, which will add to the vibrancy of the area, uplift the appearance of the building. As such, the proposal complies with the aforementioned policy and guidance.

Residential Amenity

This part of Cheetham is dominated by similar, businesses and is identified within policy as being suitable for such businesses.

Due to the detached position of the nearest residential neighbourhood, the former use of the site and the context of the site's immediate surroundings, it is not believed that there would be any significant, adverse effect upon the living conditions of nearby occupiers in terms of increased activity and any associated noise and disturbance.

Visual Amenity

The existing building is of little architectural merit, typical of the commercial area in which the site is located. The new openings will add transparency to the building and enliven the main frontage to the benefit of visual amenity. It is not believed there would be any undue impact to the character of the building or the wider street-scene.

A condition has been included to ensure materials match the existing building in type, colour and texture.

An informative has also been included to ensure that the applicant is aware that any new signage or advertisement is likely to require separate advertisement consent.

Waste Management

Given that the elevational alterations would facilitate sub-division and a greater intensity of use of the host building, a condition has been included which required details of waste management to be agreed prior to any of the additional units becoming operational.

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 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 801-1a and 801-2a received by the City Council as Local Planning Authority on 11 January 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 materials to be used on the external surfaces of the building, shall match those of the existing building in type, size, colour and texture.

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

4) Notwithstanding details submitted, prior to the units being occupied, 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 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 DM1 and SP1 of the Manchester Core Strategy.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

5) Prior to the installation of any further roller shutters, full details of the proposed roller shutters shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved details and retained thereafter.

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

Informatives

- 1) It is advised that all external fittings are to 'Secured by Design' standards.
- 2) Please note, separate advertisement consent may be required for fascia level sign or any other signage. Please contact the City Council as Local Planning Authority for further advice prior to the installation of any signage or advertisements.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

74A Sherborne Street, Manchester, M8 8HU
74 Sherborne Street, Manchester, M8 8HU
Unit 1G, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1F, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1E, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1D, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1C, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1B, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1A, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
First Floor, Werner House, 76 Sherborne Street, Manchester, M8 8HT
Ground Floor, Werner House, 76 Sherborne Street, Manchester, M8 8HT

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) 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(c) To C3
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: NORTH1