

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130688/FO/2021

Date registered valid: 29 November 2021

Proposal: Erection 2 metre high boundary treatment to the front, incorporating a wall with brick pillars and railings between, together with double gates at 1.8 metres high and 1.8 metre high Paladin fencing with gate to the rear

Address: 171 Cheetham Hill Road, Manchester, M8 8LG

Ward(s): Cheetham Ward

Applicant: Moyee Investments Limited 171 Cheetham Hill Road, Manchester, M8 8LG

Agent (if any): Mr Gooding LDM Surveyors LDM House, Great Ancoats Street, Manchester, M4 5AB

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

Recommendation: Approve

Date of recommendation: 22 February 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 6 January 2022

Standard consultations:

Printed: 10 December 2021

Expired: 31 December 2021

Neighbour notifications

Printed: 13 December 2021

Expired: 3 January 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 large, single storey warehouse building, incorporating a shallow dual pitched roof, situated between Cheetham Hill Road to the east and Bent Street to the west. The building is presently vacant and of a dilapidated appearance. The building is occupied by a fashion textile wholesaler.

The building presents its main frontage to Cheetham Hill Road and includes a series of metal roller shutters to its main elevation. Immediately to the front of the building is an overgrown, grassed area, separated from the footway by individual metal knee rails.



Existing front boundary

To the rear is the main servicing access, with a small car park area accessed off Bent Street. The rear and side boundaries have been enclosed by unauthorised, two metre high Palisade fencing.



Existing rear boundary – to be replaced by the proposed fence

The site has an extant planning permission for the erection of a two-storey building at the front of the existing building to form a showroom (sui generis).

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is situated adjacent to a main arterial route leading into and out of the city centre. The building and its service yard addresses two road frontages. Cheetham Hill Road to the front (east) and Bent Street to the rear (west).

The site is situated at the heart of the Strangeways warehouse district, which is dominated by commercial buildings and warehouses predominantly in use as wholesalers, offices and cash and carry businesses contained within buildings ranging from one to three storeys in height.

Description of development

Planning permission is sought for the erection of a 2 metre high boundary treatment to the front, incorporating a wall with brick pillars and railings between, together with double gates at 1.8 metres high and 1.8 metre high Paladin fencing with gate to the rear.

The existing 2 metre high Palisade fencing is situated to the side and constitutes permitted development in isolation. Whilst originally included in the description of development by the applicant, this has been omitted due to its permitted development status.

The application as originally submitted proposed 1.8 metre high Palisade fencing to the rear boundary fronting Bent Street in order to regularise the fence in situ.

During the course of the application, the applicant was informed that due to visual concerns, the 2 metre high fencing to the rear boundary would not be supported. In response, the applicant has confirmed their willingness to replace the Palisade fencing with weld mesh, Paladin fencing and the existing, unauthorised fence would be replaced within 3 months. As a result, the description of development has been amended to reflect the replacement fence type.

The boundary treatment to the front remains unchanged and has not yet been erected.

Consultations & Notification Responses

Local Residents/Occupiers – 1 objection has been received from a neighbouring business occupiers. Concerns are raised about the height of the fence in situ, its standard and that it obscures the signage of neighbouring business.

Planning History

126284/FO/2020

Erection of a two-storey building at the front of the existing building to form a showroom (sui generis). *Approved 30 November 2020.*

F02370

Use of Clothing Manufacturers premises as a wholesale distribution warehouse for childrens' clothing and babyware. Approved 21 May 1975.

Policy

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

- Policies DM1, EC1, EC2 and SP1 of the Manchester Core Strategy;
- Saved policy CC10 of the Unitary Development Plan;
- Guide to Development in Manchester (SPD);
- National Planning Policy Framework (NPPF).

Issues

Principle

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions be made in accordance with the development plan unless material considerations indicate otherwise.

In the case of this application, the principle of the proposed development is considered acceptable and compliant with the aforementioned development plan policy and associated guidance.

The proposed use would allow for the improvement of an existing building along a major arterial route and within the context of a predominantly commercial environment and contribute to the Council's economic objectives by allowing the improvement and retention of an existing employment site. More specific planning issues are outlined further below.

Visual Amenity

The enclosure of the front boundary with wall and railings is considered to be satisfactory in principle and would improve and be in keeping with the street-scene along Cheetham Hill Road. Full details of the brick type and railing specification are required to be submitted as part of a planning condition.

On the basis of the replacement Paladin fence to the rear boundary and given the prevailing commercial context and presence of other similar fences in the area, the impact to visual amenity impact to the street-scene along the secondary, side road to the rear, is considered acceptable.

Residential Amenity

The application site is situated at the heart of a designated commercial area with no immediate residential occupiers situated nearby. As such, there will be no impact upon residential amenity.

Climate Change and Air Quality

Given the nature of the proposed development, there will be a negligible impact to climate change.

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:

Location Plan and drawings referenced PS102/G and PS202/G received by the City Council as Local Planning Authority on 13 September 2021 and 18 February 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) Prior to the erection of any further boundary treatment, full details of the fence/wall specification, including brick type, colour and materials shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police

Showroom 4B, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 4A, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 3, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
41B Bent Street, Manchester, M8 8NF
41A Bent Street, Manchester, M8 8NW
Bauer And Stocktons, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 1, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Elliotts Car And Van Hire, 210 - 216 Cheetham Hill Road, Manchester, M8 8LW
41 Bent Street, Manchester, M8 8NW
202 - 208 Cheetham Hill Road, Manchester, M8 8LW
167 Cheetham Hill Road, Manchester, M8 8LG
50 Bent Street, Manchester, M8 8NW
48 Bent Street, Manchester, M8 8NW
169 Cheetham Hill Road, Manchester, M8 8LG
Prayer Room First Floor, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 6 Office C, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 6 Office B, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
39B Bent Street, Manchester, M8 8NW
39A Bent Street, Manchester, M8 8NW
Showroom 2, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 10, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 9, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 8, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 7, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 6 Office A, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 5, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 4, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 3, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 2, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 1, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 6, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
HABIB BANK A.G. ZURICH, Showroom 5, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1