

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130847/VO/2021

Date registered valid: 7 September 2021

Proposal: City Council Development for demolition and rebuilding of a section of the existing annex extension damaged due to a previous Buddleia growth

Address: 420-422 Stockport Road, Manchester, M12 4EX

Ward(s): Ardwick Ward

Applicant: Mr A Stirling Manchester City Council Town Hall Extension, Manchester, M60 2LA

Agent (if any): Mr James Kearns Manchester City Council Town Hall Extension, St Peters Square, Manchester, M60 2LA

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

Recommendation: Approve

Date of recommendation: 26 October 2021

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 30 September 2021

Standard consultations:

Printed: 13 September 2021 Expired: 4 October 2021

Neighbour notifications

Printed: 13 September 2021 Expired: 4 October 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 large, detached, three storey, red brick building (including basement), situated adjacent to the main arterial route of Stockport Road.

The building which is presently occupied by Longsight Youth Centre, is situated at the corner of Stockport Road and Hayley Street. To the rear is a small, unenclosed grassed area, which backs onto a two storey, residential estate of dwellinghouses. The grassed area immediately adjoins the public footway to the side and rear.

To the front, the building includes a small, enclosed yard area with ramped access serving the building frontage

The current application specifically relates to the a dilapidated brick wall to the rear of the building.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The site lies adjacent to a busy, north/south arterial route, which leads into and out of the city centre. The immediate area is largely residential in character, comprising a mixture of two storey dwellinghouses and multi storey, purpose-built apartments. Immediately to the south, on the opposite side of Hayley Street is a vacant public house (Ducie Arms).

Description of development

Planning permission is sought by the City Council Development for the demolition and reconstruction of a section of the existing annex extension at the rear of the building, which has damaged due to a previous Buddleia growth. Buddleia (Buddleja davidii) is an invasive plant that is found throughout the United Kingdom and known to grow in cracks within brickwork.

The existing annex is situated to the right-hand side of the rear corner of the building and is predominantly of masonry construction, with red bricks, irregular roofline with flat, asphalt roof buff stone string course details, low level stone detail, stone cills and stone ornamental header with inscription to the building entrance facing Hayley Street.

The annex measures approximately 8.5 metre in height, with a width of 2.7 metres, with the rear wall comprising crumbing brickwork, incorporating an upper level post sign.

The annex which is damaged and dilapidated incorporates an entrance door with stone features and two vertical windows above (one to each level above). The rear elevation comprises blank, damaged brickwork and white fascia to the eaves.

The scheme has been designed to ensure that the re-building of the demolished area of the building matches the existing building by using the same brickwork type and elevations installing windows and doors to existing positions. Floor levels to each room will be as existing to match the existing adjacent stairwell that is being retained.

The existing low-level stone is to be salvaged from the structure to be demolished, cut to size and reused to provide continuity to the stone string course. The existing brickwork is to be made good where necessary the stone cladding is to be reused.

The application follows recent planning permission is sought for the erection of a three-storey rear extension, with lower ground floor/basement element, to form new lift access (130307/FO/2021) and also the creation of a car park to the rear, together with associated boundary treatment (Ref: 129246/FO/2021).

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health – A condition requiring a construction management plan is advised.

GMEU – have reviewed the submitted Nocturnal Bat survey Report and make the following comments:

-The report appears to have used reasonable effort to assess the buildings both internally and externally for the presence of bats and the likelihood that the buildings would be used at other times by bats.

·The Report recorded no evidence of present or historic usage, but concluded that the building had moderate potential to support roosting. Therefore, it was concluded that a minimum of two bat activity surveys needed to be conducted.

-The activity surveys appear to have used reasonable effort and personnel, whilst undertaking the survey in the appropriate weather conditions.

-The activity survey recorded re-entry of a single Common pipistrelle. It was hypothesised that due to the bat activity during the other surveys, that this may be used by small numbers of bats as a summer day/transitional roost.

-It is therefore considered that the building is a confirmed bat roost under the definition of the Habitats Regulations (2019).

-The bat roost is in a part of the site which is likely to be subject to disturbance and/or destruction during the partial demolition and refurbishment of the proposal. Therefore, as identified in the activity survey report some form of Protected Species licence (PS) will be required from Natural England, to derogate from the provision of the legislation in order to implement the proposals should an application receive permission. In my opinion I concur that a Bat Mitigation Class Licence (BMCL low impact) would be suitable in this instance.

-In order to provide for a derogation under the legislation three tests should be met: -

-That the action is for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;

-That there is no satisfactory alternative; and

-That the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range

-As the Protected Species Licence will be implemented for a public building (ie a youth centre)/under a Bat Mitigation Class Licence, a full reasoned statement is not required by Natural England to issue the licence, but that this does not obviate the LPA's responsibilities to have regard to the derogation tests.

-It is strongly advised that the Local Planning Authority report the presence of a bat roost in their recommendations to Committee or delegated report.

-It is equally important to consider that in this case, which is a roost for a small number of common pipistrelle bat, that the favourable conservation status (the third test) of the species can be maintained via the implementation of the mitigation measures.

-The Report includes (section 4.2) the outline of the proposed mitigation which will be used under the BMCL licence and for enhancements to the site (section 4.1.5). In my opinion, this description is adequate for planning purposes and demonstrates the approach that will be used in the Natural England Licence application.

-A British Standard (BS 42020: 2013 D.6.2) condition wording can be used if the Council does not have its own agreed standard approach: -

"The following works including works to commencing on any part of the demolition, removal of external architectural features or refurbishment in the building that is used by common pipistrelle bats, shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

A licence issued by Natural England pursuant to Regulation 53 of the Conservation for Habitats and Species Regulations 2017, authorising the specified development to go ahead;

Or

A statement in writing from the relevant licensing body to the effect that it does not consider that the development will require a licence.”

-It is recommended in the report that a sensitive external lighting scheme is provided (section and this should be secured via a condition on any permission if granted to be submitted and implemented prior to the reoccupation of the building/first use.

-The BMCL does not ensure that enhancement occurs and the erection of one integrated bat brick and a bird box would be proportionate to the scale of the development. This can be secured via condition on any permission.

-The Report highlights that the building may be used by breeding birds and that all bird species are protected whilst nesting (W&CA). An informative should be used to alert the applicant to this effect and to indicate that works during the breeding season (March – August inclusive) should only be carried out where it can be demonstrated by a suitably qualified person that no nesting activity is present.

In summary and conclusion: -

- There is sufficient information submitted in relation to biodiversity to allow the application to be forwarded for determination.

- A Protected Species bat roost (Habitats Regulations 2019) has been located within the building and the Council need to address this material consideration in their determination of the application.

- A number of conditions/informatives are recommended to ensure that the wildlife legislation is implemented correctly and specified within the details of the application and its subsequent implementation should it receive permission.

Highway Services – The submitted Risk Assessment and Method Statement is considered acceptable.

Policy

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

Policies DM1, EC1, EN15 and SP1 of the Manchester Core Strategy
National Planning Policy Framework (NPPF);

Issues

Principle

The proposed development involves the replacement of an existing, damaged annexe on an almost like for like basis. The footprint and dimensions of the structure will remain the same.

The proposed works will allow for damaged brickwork to be repaired and the annexe to be brought in line with up to date building regulations.

The works will allow the building to be reused as a community centre and will lead to improvements to visual amenity by repairing a structure in a poor condition. On this basis, the principle of the proposal is considered acceptable and compliant with the aforementioned policy and guidance.

Design and Impact to visual amenity

The proposed works seek to replace and repair damaged parts of the existing annexe and seek to maintain the integrity of the existing building fabric, reusing part of the building such as the buff stone features, within the same locations.

It is considered that the original design intent of the annex will be maintained and the public benefits that the proposal will deliver are a clear positive. As such, the impact to visual amenity is considered acceptable.

Ecology

GMEU have reviewed the submitted bat survey, which has identified the likely presence of a bat roost. The survey recorded re-entry of a single Common Pipistrelle. It was hypothesised that due to the bat activity during the other surveys, that the building may be used by small numbers of bats as a summer day/transitional roost.

The report identifies that the bat roost is in a part of the site which is likely to be subject to disturbance and/or destruction during the partial demolition and refurbishment of the proposal. Therefore, as identified in the activity survey report, some form of Protected Species licence (PS) will be required from Natural England, to derogate from the provision of the legislation. It is considered that a Bat Mitigation Class Licence (BMCL low impact) would be suitable in this instance. An appropriate condition is required, as well as a condition relating to bio diversity enhancement and an informative relating to prevent works being carried out during the bird nesting season.

Climate Change

The proposal involves the replacement of a small, existing annexe on an almost like for like basis. Other than limited construction work to replace the exterior roof and walls, the impact will be the same as existing. Whilst construction work has the potential to impact air quality, on this occasion the works required is limited and of temporary duration. On this basis, the impact to climate change is considered negligible.

Construction Management

In order to safeguard nearby occupiers from the effects of demolition and construction, albeit limited, a condition has been included which requires the submission and approval of a construction management plan. This will serve to protect the impact of works upon air quality, the operation of the adjoining highway, site safety and the removal of waste.

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 CL44371-2-MCC-XX-DR-B-001 received by the City Council as Local Planning Authority on 23 June 2021 and drawings referenced CL44371-2-MCC-XX-DR-B-002/A and CL44371-2-MCC-XX-DR-B-003/A received by the City Council as Local Planning Authority on 26 October 2021.

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 replacement structure 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 by the materials to be used in the construction of the structure, pursuant to policy DM1 of the Manchester Core Strategy.

4) The development hereby approved shall only be implemented in accordance with the measures detailed within the submitted Risk Assessment and Method Statement, produced by P McGuinness and Co Ltd, received by the City Council as Local Planning Authority on 12 October 2021.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) No demolition or removal of external architectural features or refurbishment of the building that is used by Common Pipistrelle bats, shall commence unless the Local Planning Authority has been provided with either:

A licence issued by Natural England, pursuant to Regulation 53 of the Conservation for Habitats and Species Regulations 2017, authorising the specified development to go ahead; or

A statement in writing from the relevant licensing body to the effect that it does not consider that the development will require a licence.

Reason - To protect bats should they be found at the application site, pursuant to policy EN15 of the Manchester Core Strategy.

6) Within one month of the development hereby approved being completed, a scheme for the enhancement of the site for biodiversity purposes shall be implemented. This should include the provision of one bat and bird box, which shall thereafter be retained.

Reason -To mitigate the loss of bat habitat and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Informative

1)Works should not be carried out during the main bird nesting season (1st March and 31st August inclusive), unless a competent ecologist has undertaken a careful, detailed check of the host structure for active birds' nests immediately before works take place.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Greater Manchester Ecology Unit

40 Toll Gate Close, Manchester, M13 0LG
424 Stockport Road, Manchester, M12 4EX
404 Stockport Road, Manchester, M12 4EX
398 Stockport Road, Manchester, M12 4EX
46 Toll Gate Close, Manchester, M13 0LG
44 Toll Gate Close, Manchester, M13 0LG
42 Toll Gate Close, Manchester, M13 0LG
38 Toll Gate Close, Manchester, M13 0LG
36 Toll Gate Close, Manchester, M13 0LG
34 Toll Gate Close, Manchester, M13 0LG
32 Toll Gate Close, Manchester, M13 0LG
30 Toll Gate Close, Manchester, M13 0LG
28 Toll Gate Close, Manchester, M13 0LG
26 Toll Gate Close, Manchester, M13 0LG
24 Toll Gate Close, Manchester, M13 0LG
406 Stockport Road, Manchester, M12 4EX
402 Stockport Road, Manchester, M12 4EX
400 Stockport Road, Manchester, M12 4EX
396 Stockport Road, Manchester, M12 4EX

Appendix 2 – Planning constraints

Article 4 Direction - Removal of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH2