

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132113/FO/2021
Date registered valid:	2 November 2021
Proposal:	Erection of single storey side extension and erection of a two storey annexe building to the rear to serve as an additional space for the creche and also to provide multi-purpose rooms
Address:	100 Yarburgh Street, Manchester, M16 7EH
Ward(s):	Whalley Range Ward
Applicant:	Dr. Yeng Shiong Ang, 100 Yarburgh Street, Manchester, M16 7EH
Agent (if any):	Mr Alan Lee, Jenkins Design, 2-4 Houghton Street, Bury, BL9 0TA
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	31/12/21



Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 21 December 2021

Standard consultations:

Printed: 9 November 2021 Expired: 30 November 2021

Neighbour notifications

Printed: 9 November 2021 Expired: 30 November 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/area

The Manchester Chinese Christian Centre is located at the junction of Yarburgh Street and Alexandra Road South. The south of the site is bounded by the Manchester National Spiritualist Church, while to the west, beyond the church's car park, there are residential properties. To the north, on the opposite side of Yarburgh Street, there are further residential properties, while to the west, on the opposite side of Alexandra Road South lies Alexandra Park.

Listed building: no

Conservation area: no

Tree Preservation Order: no

Description of development

- Erection of a single storey rear extension to form enlarged kitchen facilities for the creche.
- Erection of a 2 storey annexe to form ancillary meeting/celebration space and Sunday School accommodation.

Consultations & Notification Responses

Local Residents – No comments received.

Neighbourhood Team Leader (Arboriculture) – No objection to the removal of trees listed on the plan, however, we would expect to see adequate tree protections measure in place to ensure the trees being retained are not compromised during the construction phase. All work must be carried out in accordance with BS:5837. The mitigation planting listed on the landscaping plan is sufficient for this site.

Policies

The National Planning Policy Framework (NPPF) – The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

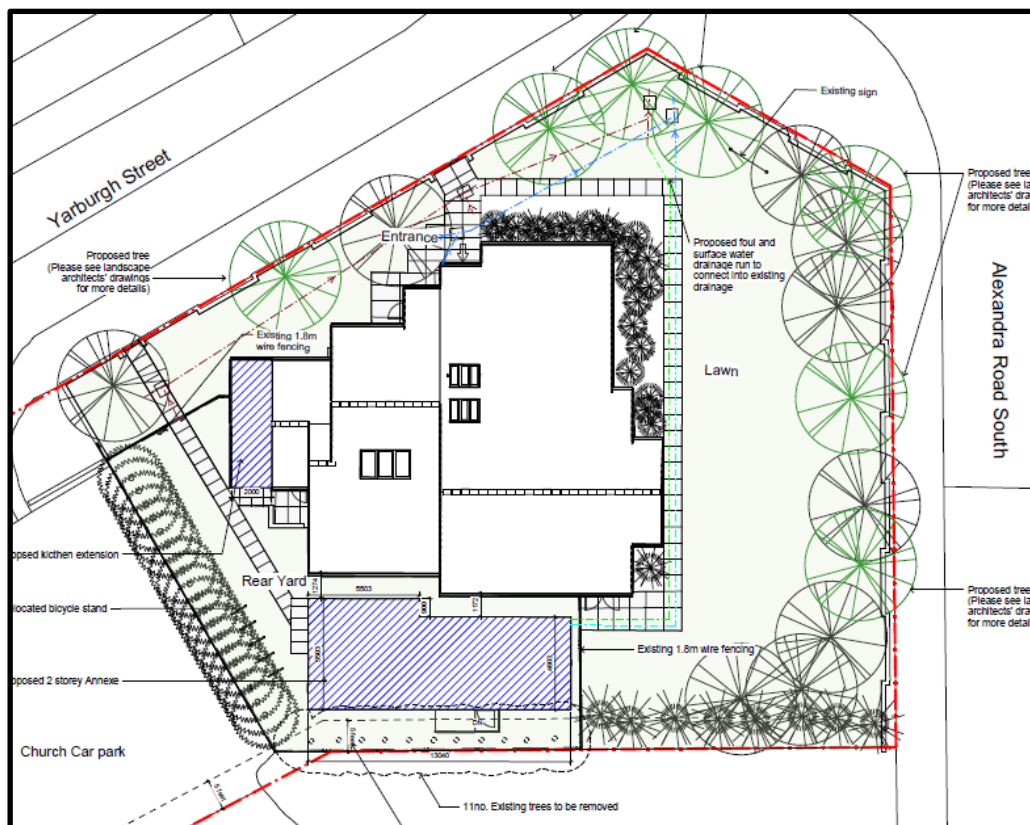
Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.



Visual Amenity – Given the design and siting of the proposal it is not considered that the development would have a detrimental impact upon the existing levels of visual amenity enjoyed within the vicinity of the site.

Residential Amenity – As the proposal does not directly abut any residential properties and is located some distance away from the nearest dwellings, as well as being separated from them by busy roads, it is not considered that the proposal would have a detrimental impact upon the existing levels of residential amenity enjoyed by the occupants of those dwellings.

Trees and Landscaping – The proposal requires the felling of the leylandii hedge and a Norway Maple, the loss of which is considered acceptable by the City Arborist. To compensate for their loss the applicant is proposing to plant seven replacement trees – a mix of Betula Pendula, Malus Sylvestris, Sorbus Aria and Tilia Cordata 'Greenspire'. These replacements are considered acceptable and are recognised as superior species to the leylandii hedge.

The tree protection condition required by the City Arborist is to be imposed.

Pedestrian and Highway Safety – Given the limited size of the development it is not considered that the proposal would lead to a dramatic increase in the number of vehicle movements to and from the site. As a result, it is not considered that the proposal would have a detrimental impact upon the existing levels of pedestrian and highway safety enjoyed within the vicinity of the site.

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 in a positive and proactive manner to resolve any problems arising in relation to 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 stamped as received on 2 November 2021:

- a) B1-00-DR-A-0800 - Site Location Plan
- b) B1-00-DR-A-0801A - Existing Site Plan
- c) B1-00-DR-A-0810 - Existing Ground Floor Plan
- d) B1-01-DR-A-0811 - Existing Roof Plan
- e) B1-XX-DR-A-0812 - Existing Elevations 1
- f) B1-XX-DR-A-0813 - Existing Elevations 2
- g) B1-XX-DR-A-0814 - Existing Site Elevations
- h) B1-00-DR-A-2001 - Proposed Site Plan
- i) B1-00-DR-A-2010 - Proposed Ground Floor Plan
- j) B1-01-DR-A-2011 - Proposed Roof Plan
- k) B1-XX-DR-A-2012 - Proposed Elevations 1
- l) B1-XX-DR-A-2013 - Proposed Elevations 2
- m) B1-XX-DR-A-2014 - Proposed Site Elevations
- n) B1-XX-DR-A-2020 - Proposed Annexe Floor Plans
- o) B1-XX-DR-A-2021 - Proposed Annexe Elevations
- p) 6714.01 TS - Tree Survey and Roof Protection Area
- q) 6714.02A TPP - Tree Protection Plan
- r) 6714.03B - Landscape proposal
- s) PD/6714/TSR/SEP21 - Tree Survey Report
- t) MG/6714/AIA&AMS/SEP21 - Arboricultural Impact Assessment and Method Statement

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) No above ground works shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy.

4) Before first use the first floor windows in the southern elevation shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on drawing no. 6714.02A TPP - Tree Protection Plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

6) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing no. 6714.03B - Landscape proposal, shall be implemented not later than 12 months from the date of completion of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

7) Before the annexe building hereby approved is first occupied it shall be insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the property.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to Policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Parks & Events

Neighbourhood Team Leader (Arboriculture)

2 Alexandra Road South, Manchester, M16 8ER

Flat 58, Kahina Court, Westerling Way, Manchester, M16 7FG

Flat 60, Kahina Court, Westerling Way, Manchester, M16 7FG

Flat 62, Kahina Court, Westerling Way, Manchester, M16 7FG

Flat 64, Kahina Court, Westerling Way, Manchester, M16 7FG

Flat 66, Kahina Court, Westerling Way, Manchester, M16 7FG

Flat 68, Kahina Court, Westerling Way, Manchester, M16 7FG

7 Thruxton Close, Manchester, M16 7LB

Flat 10, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB

Flat 8, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB

11 Thruxton Close, Manchester, M16 7LB

9 Thruxton Close, Manchester, M16 7LB

5 Thruxton Close, Manchester, M16 7LB

98 Yarrowburgh Street, Manchester, M16 7EH

Flat 4, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB

Flat 3, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB

Flat 2, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB
Flat 1, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB
Flat 11, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB
Flat 9, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB
Flat 7, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB
Flat 6, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB
Flat 5, Kwanzaa House, 100 Alexandra Road, Manchester, M16 7FB

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH