

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130517/JO/2021

Date registered valid: 14 June 2021

Proposal: Variation of conditions 3 (specified plans), 9 (car park layout) and 19 (visibility splay) attached to planning permission referenced 127544/FO/2020 to allow elevational alterations to the two end units closest to Knowsley Street and car park layout

Address: 63 Knowsley Street, Manchester, M8 8HX

Ward(s): Cheetham Ward

Applicant: Mr Amir Khan Andersen, Textiles 63 Knowsley Street, Manchester, M8 8HX

Agent (if any): Mr Ian Malyan, FOB D UK Limited 72A Water Lane, Wilmslow, SK9 5BB

Case officer: Steven McCoombe
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Recommendation: Approve

Date of recommendation: 7 September 2021

Application details

Type of application: Variation or Removal of Condition

Development type: Smallscale Major Other

Date of site visit: 15 July 2021

Standard consultations:

Printed: 22 June 2021 Expired: 13 July 2021

Neighbour notifications

Printed: 22 June 2021 Expired: 13 July 2021

Site notice

Posted: 15 July 2021 Expired: 5 August 2021

Press advert

Published: 29 June 2021 Expired: 20 July 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site relates to a service yard associated with a number of existing single storey warehouse building situated at the corner of Knowsley St with Blackstock St. The site which is accessed from Knowsley Street immediately adjoins the Grade II listed building/complex of HMP Strangeways.

The wider area is dominated by a mixed of traditional red brick and metal clad warehouses and cash and carry businesses, including three-storey warehouse units which have been recently built opposite the site and are similar in design to those presently proposed.

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. This immediate area is dominated by various wholesale uses and general industrial buildings with large floor plates. Adjoining the site to the south is HMP Strangeways

Description of development

Planning permission is sought for the variation of conditions 3 (specified plans), 9 (car park layout) and 19 (visibility splay) attached to planning permission referenced 127544/FO/2020 which allowed for the erection of a 3 storey building to create 7 wholesale units at ground floor (sui generis) with ancillary storage at first and second floor. A car parking and servicing areas is proposed to the western side of the proposed building accessed from Knowsley St.

The steel framed building will occupy the eastern portion of the site with glazed shopfronts facing directly on Blackstock St and Knowsley St. The western portion of the site will accommodate a servicing and parking area comprising 8 vehicles spaces and enclosed bin store.

In this case minor alterations are proposed, involving elevational changes to the two end units closest to Knowsley Street (units annotated as 1 and 2). It is proposed that the units are rotated to allow a larger, squarer footprint to each unit.

The principal elevation to the units will entail shop frontages to the Knowsley Street and courtyard/car park elevations only, with the elevation to Blacklock Street becoming a secondary elevation with small window openings at ground floor level and a series of horizontal windows to the second floor to both the eastern and western elevations. The shop frontages originally proposed to Blackstock Street have been omitted.

In addition, it is proposed to reduce the car parking spaces along the side of the building from 8 to 7 spaces. This will allow the inclusion of a new cycle storage area.

An alteration is also made to the wording to condition 19 (visibility splay) to reflect the amended plan reference number.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services - It is noted that the number of on-site car parking spaces is being decreased from eight to seven spaces to accommodate a covered, secure cycle storage facility and this is acceptable.

The provision of an electric vehicle charging space is welcomed. A minimum 7kW charge unit should be provided.

The revised site plan shows indicative swept path internal vehicle movements which is acceptable,

All of our other comments relating to the development within application 127544/FO/2020 remain applicable.

Policy

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

- Saved policies CC10, DC19 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).

Issues

Principle

The principle of the proposed development has already been established by the host permission which consider the proposed wholesale cash and carry uses an acceptable use in this location and of scale, appearance and typology typical of the immediate context.

In this case the only issues for consideration relate to the impact of the elevational changes and the loss of 1 car parking space.

Appearance and Visual Amenity

The proposed changes allow for the two end units closest to Knowsley Street to be of a more usable footprint by creating two larger, squarer shaped units. This effectively involves the rotation of the units by 90 degrees and the omission of shopfronts to Blackstock Street, together with associated elevational changes to the ground floor window openings and the creation of second floor windows openings to the eastern and western elevations.

Given the nature of the changes and the immediate site context, which includes a building of a comparable design on the opposite side of Knowsley Street, the proposed elevational changes are considered minor and unlikely to create any significant impact to the character and appearance of the area or the appearance of the street-scene. It is also believed the series of second floor windows would also serve to break up the large sections of cladding to the eastern and western elevations to the benefit of visual amenity.

Whilst shop frontages have been eliminated from the Blackstock Street elevation and replaced with more secondary windows openings, this section of Blackstock Street is a minor road – a short, narrow section of cul-de-sac which faces onto blank elevations of a building opposite. As such, the removal of the shop frontages to this side of the proposed building would not necessarily pose any negative impact to the street-scene, given the infrequent use of the road and as the building would also incorporate shop frontages to the Knowsley Street and courtyard/car park elevations. On this basis, the impact is considered satisfactory.

Impact upon the Listed Building

Given the proximity of the HMP Strangeways - a grade II listed building, a short distance to the south, it is necessary to assess the impact of the proposed alterations upon this heritage asset.

S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

Policy EN3 of the Core Strategy, along with saved Policy DC19.1 seeks to preserve and enhance the setting of listed buildings by appropriate control over the design of new development in their vicinity.

Similarly, guidance contained with the revised National Planning Policy Framework (2021) states at paragraph 195 that:

'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise'

Paragraph 197 states further that:

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 202 goes on to state:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'

In this case on balance, taking account of the above policy and guidance it is considered that in the existing context of the host warehouse district and the existing character of the area, the proposed building and associated elevational changes will not have a significant impact upon the setting of the listed prison or material affects views to the listed building, given intervening development and the immediate context.

The area around the prison is already dominated by similar structures which encircle the prison complex and with the exception of the main panoptical tower, only oblique views are afforded from surrounding streets. Any impact upon the setting of the listed building would therefore be negligible given how the area has been historically developed for similar uses and for buildings of a similar design, scale and appearance in the immediate area to that proposed and to be altered.

Car Parking and Impact to the Highway

The proposed development as originally approved incorporated 8 off road parking spaces.

The proposed variation seeks to reduce the number of parking spaces by 1, resulting in 7 spaces. This will allow the creation of a new cycle storage area.

Whilst there are no parking standards enshrined within policy, it is considered that the number of proposed spaces provides an acceptable ratio given the wholesale use of the premises, the proximity of public transport links and the free availability of nearby on-street parking. The parking ratio is also comparable to other similar business in the area. Highway Services raise no objection to the level of provision or any other impact upon the local highway network.

Highways Services raise no objection to the slight reduction in spaces and given that the space to be lost will facilitate the creation of a cycle storage area which will aid travel by alternative means than by private car, to the benefit of climate change, the proposed alteration to the car park can be sustained on this occasion.

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 30 October 2023.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2) Notwithstanding details submitted, no above ground development that is hereby approved 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. The development shall only be implemented in accordance with the approved details.

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 Core Strategy.

- 3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Location Plan received by the City Council as Local Planning Authority on 23 July 2020 and drawings referenced PL 01/A, PL 02/A and PL 03/A received by the City Council as Local Planning Authority on 14 June 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.

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

07.00 to 18.30 hrs Monday to Saturday

09.00 to 15.00 hrs Sundays and Bank Holidays

Reason - In interests of residential 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.

5) Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours:

07.30 to 20.00 Monday to Saturday.

No Deliveries, servicing and all collections, including waste collections shall take place on Sundays and Bank Holidays.

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

6) The development hereby approved shall only be implemented in accordance with the measures detailed within the Peter Cowsill Phase I Preliminary Risk assessment dated August 2016 and the LK Phase II Site Investigation reference LKC-19-1171 dated July 2019.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

7) Prior to the commencement of development, a United Utilities supply pipe risk assessment to confirm the details of the water supply pipe to be installed at the site once the location and depth of the proposed pipeline are known, shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - To safeguard water quality and ground conditions, pursuant to policies EN15 and E18 of the Manchester Core Strategy.

8) Notwithstanding details submitted, none of the units shall be occupied until a full servicing strategy has been submitted to and approved in writing by the City Council as Local Planning Authority. 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 highway safety and to safeguard residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

9) The car parking indicated on drawing numbered PL 03/A received by the City Council as Local Planning Authority on 14 June 2021 shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policies DM1 and SP1 of the Manchester Core Strategy.

10) The development hereby approved shall not be occupied or used until the Council as Local Planning Authority has acknowledged in writing that it has received written confirmation of a 'secured by design' accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

11) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

12) Prior to the commencement of above ground development, full details of any 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

13) Notwithstanding details submitted, no above ground development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been 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.

14) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically 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 equipment.

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

15) No above ground development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. Details shall include those of the access gate to the car park and the bin store enclosure. The boundary treatment shall be completed before prior to first occupation of the development hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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, pursuant to policies SP1 and DM1 of the Core Strategy.

16) The development hereby approved shall only be implemented in accordance with the submitted Construction Management Plan received by the City Council as Local Planning Authority on 22 October 2020.

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

17) Prior to the commencement of above ground development, the following details shall be submitted and approved in writing by the City Council with regard to flood risk:

- Surface water drainage layout, including proposed overland flow routes for extreme events (up to 1 in 100 year including climate change allowance);

- Details of any surface water attenuation that offers a reduction in surface water run off rate in line with the Manchester, Trafford and Salford Strategic Flood Risk Assessment.

- Hydraulic calculations to support the drainage proposals.

- Details of how the scheme will be maintained and managed after completion.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy. Some elements of the drainage of the site have not yet been fully defined. The details are required prior to works commencing on site to ensure the most suitable and appropriate methods of drainage are installed prior to buildings being constructed on site.

18) Prior to the first occupation of the development hereby approved, full details of electric car charging points, representing 10% of the total number of car parking spaces, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of any part of the development and be retained thereafter.

Reason - In the interest of air quality, pursuant to policy EN16 of the Manchester Core Strategy.

19) Notwithstanding details shown on the approved site layout PL 03/A received by the City Council as Local Planning Authority on 14 June 2021, prior to first occupation of the development hereby approved, details of the visibility splays to the site access, together with a swept path drawing to demonstrate that the parking spaces and servicing space can be satisfactorily accessed, shall be submitted to and approved in writing by the City Council as Local Planning Authority.

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

20) For the avoidance of doubt, the development hereby approved shall be used as wholesale cash and carry and storage units (sui generis) only and shall not 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.

21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building shall not be further subdivided to form additional units.

Reason - To prevent an over-intensive use of the site, pursuant to Policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

51F Derby Street, Manchester, M8 8HW

Workshop Junction Sherborne Street, Knowsley Street, Manchester, M8 8ZZ

Travel And Leathersgoods Ltd, 59 Knowsley Street, Manchester, M8 8JF

Basement Central Trimmings Ltd, 59 Knowsley Street, Manchester, M8 8JF

59 Knowsley Street, Manchester, M8 8JF

Appendix 2 – Planning constraints

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

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

Area Team Boundary - Name: NORTH1