

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130878/FO/2021

Date registered valid: 6 July 2021

Proposal: Installation of 5 no. air conditioning units together within timber enclosure and provision of rear access ramp

Address: 180 Burnage Lane, Manchester, M19 1EF

Ward(s): Burnage Ward

Applicant: One Stop Stores Limited, Apex Road, Brownhills, Walsall, WS8 7TS

Agent (if any): Mr Pierre Langlois, Calfordseaden LLP, Stewart Court, 214A Hagley Road, Edgbaston, Birmingham, B16 9PH

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18.05.2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

Printed: 13 July 2021 Expired: 3 August 2021

Neighbour notifications

Printed: 13 July 2021 Expired: 3 August 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 application relates to a commercial premises in a parade of shops adjacent to a residential property fronting Burnage Lane.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Installation of 5 no. air conditioning units together within timber enclosure and provision of rear access ramp

Consultations & Notification Responses

No comments received from local residents/businesses.

Environmental Health – Satisfied subject to accordance with the submitted acoustic report.

Issues

Core Strategy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant saved UDP policy is DC26. Policy DC 26 relates to applications that may generate noise.

Principle

This application is solely in connection with the use of the existing premises.

Air conditioning units

Environmental health are satisfied subject to works taking place in accordance with the submitted acoustic report.

Ramp

The proposed ramp will make the ground floor of the premises accessible for deliveries. On balance there are no issues with the design.

Residential Amenity

The property is adjoined by residential accommodation. The proposed changes have been sited so as to minimise the visual impact and Environmental Health are satisfied that the proposed works can be carried out in a manner that will not impact of amenity. On balance it is considered that the proposed works will not have a significant impact on residential amenity.

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 based on seeking solutions to issues arising from the consideration of this application.

Condition(s) to be attached to decision for approval

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:

Proposed Ground Floor Plan and Elevations 201 Rev A

Received 06.07.2021

Assessment of the external plant noise for the recently opened store at Burnage Lane
Prepared by ADC Acoustics reference ARR/C/22.17.67 dated 20 April 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 development hereby approved shall be constructed using the materials specified on the approved drawings.

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.

4. The externally mounted ancillary plant, equipment and servicing shall be acoustically treated and operated in accordance with ADC Acoustics Report Reference ARR/C/22.17.67 dated 20 April 2022.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to Core Strategy policy DM1 and Saved Unitary Development Plan policy DC26.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

List of those notified on Uniform

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

Area Team Boundary - Name: SOUTH