

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129225/FO/2021

Date registered valid: 9 February 2021

Proposal: Installation of rear flue and associated extraction and ventilation equipment

Address: Revolution, 311 - 313 Wilmslow Road, Manchester, M14 6NW

Ward(s): Fallowfield Ward

Applicant: GB MCR Group Ltd, C/o Agent

Agent (if any): Haris Kasuji, RR Planning Ltd, Otley Road, Leeds, LS6 4BA

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 14.04.2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: None undertaken but property is known to case officer who undertook site visit in November 2020 in respect of application 127725/FO/2020 for the application property

Standard consultations:

Printed: 11 March 2021 Expired: 1 April 2021

Neighbour notifications

Printed: 12 February 2021 Expired: 5 March 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application property is located on a prominent corner position on between the junction of Carill Drive and Wilmslow Road in the heart of Fallowfield District Centre. Fallowfield is a residential area popular with students attending the University Campuses to the north along the Oxford Road corridor. The District Centre contains a number of commercial properties providing a range of food and drink uses together with other commercial uses that serve the wider residential population including a supermarket to the south of the application property. The application property is a three storey building in a prominent location position and was until recently in use as a bar. To the rear of the property is a small yard area that leads on to a rear alleyway and backs on to the rear of residential properties.

It is noted that a number of commercial premises fronting Wilmslow Road have rear extraction systems and flues installed.

Description of development

The application proposals are for the installation of a flue to the rear to serve the ground floor commercial unit within the property.

Relevant planning history

127725/FO/2020 - Change of use (Part Ground Floor / 1st Floor / 2nd Floor) from A4 to C3 use to provide 4.no apartments with associated external alterations, bin storage and cycle parking; subdivision of part ground floor and basement to comprise 2.no commercial units and associated change of use of part ground floor and basement from A4 to A2 uses and associated elevational changes and ancillary works. Approved 2.11.2020

050221/FU/CENTL2/96 -Change of use of the ground floor from a bank to a restaurant (Class A3)

Consultations & Notification Responses

Neighbouring occupiers were notified of the proposals no responses were received.

Environmental Health - Recommend conditions relating to fumes and odour and noise.

Policy

Manchester Core Strategy

The adopted Core Strategy contains a number of planning policies relevant to the consideration of the application proposals. These are set out below:

Centre Hierarchy Policy C1 - Development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre, District Centres and Local Centres. In order to maintain the vitality and viability of its centres, provide services as locally as possible and minimise the need to travel by car. In terms of district centres C1 states: District centres have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character.

Policy C2 - District Centre - Development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. Housing will also be considered an appropriate use within District Centres, providing it supports the vitality and viability of the centre.

South Manchester Centres policy C6 - In Fallowfield and Withington development which creates more diverse centres will be supported, in particular involving improvement to the retail offer to meet the full range of residents in surrounding neighbourhoods and promoting community uses. Development of the University of Manchester facilities adjoining Fallowfield District Centre will be supported as a means of improving the balance of uses within the centre.

The proposals are considered to be wholly consistent with the Centres policy thread within the Core Strategy. The proposals would assist in providing a range of commercial uses to the ground floor units and ensure that they can contribute to the vibrancy of the centre together with providing residential uses within a sustainable location.

Policy DM1 - Development Management

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.
Adequacy of internal accommodation and external amenity space.
Refuse storage and collection.
Vehicular access and car parking.
Effects relating to biodiversity, landscape, archaeological or built heritage.
Green Infrastructure including open space, both public and private.
The use of alternatives to peat-based products in landscaping/gardens within development schemes.
Flood risk and drainage.
Existing or proposed hazardous installations.

The Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

Saved policy DC26, Development and Noise, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments.

National Planning Policy Framework

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was revised in February 2019 and is a material consideration in the determination of all planning applications.

There are three overarching objectives to sustainable development: economic, social and environmental:

- an economic objective, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation; and improved productivity ; and by identifying and coordinating the provision of infrastructure;
- a social objective, supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective, contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

Issues

Principle – The principle for extraction equipment and flue to serve commercial premises within District Centres is generally considered acceptable subject to consideration of the visual impacts of such installations and impacts of noise and odours on residential amenity.

Visual Amenity – The proposed flue and associated equipment have been sited to the rear of the property in a location where other properties have similar installations. The proposed flue would run alongside a rear gable wall and follow the line of the chimney discharging above it. This will assist in reducing its visual impact when seen from Carril Drive with only the element above the chimney being visible although there would be limited views of more of the installation from the alleyway on Standish Road. The flue would be visible from the rear of properties at 2 and 4 Standish Road, these properties are already in relatively close proximity due to rearward two storey extensions and as such the addition of the flue is not considered to give rise to significant impacts to warrant refusal in this instance

The lower level air conditioning units would be set behind the existing yard boundary wall and would not be readily visible from the alleyway.

The applicants agent has indicated that the flue would be of a galvanised finish and this reflects the finish of other flues in this location.

Residential Amenity – The proposals do have the potential to cause noise disturbance as a result of their operation. The applicant has provided a noise assessment to accompany the application which has been reviewed by Environmental Health. Due to the current lockdown restrictions the noise report relies on data from 2006 and as such it is indicated that this would be required to be updated to reflect more recent guidance. Environmental Health are satisfied that this can be successfully resolved through appropriately worded conditions and this has been communicated to the agent who has acknowledged the further work required.

Whilst works to convert upper floors to residential has not yet commenced that planning approval was subject to a number of conditions relating to acoustic insulation from the anticipated ground floor commercial uses. These have yet to be discharged but together with the imposition of conditions for the application proposals it is considered that impacts from noise on the residential amenity of future residential occupiers can be mitigated.

The property is located within a commercial parade in the district centre along a busy radial route as such the installation of commercial equipment is not an unusual situation. There are other flue installations along this terrace of properties to the rear and these have similar relationship to the rear of the terraced properties on Standish Road. The application property has a long history of food and drink use and as such subject to the imposition of appropriately worded conditions relating to noise and odour the proposals are considered acceptable.

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

The application has been determined in a positive and proactive manner, in this instance appropriately worded conditions are proposed.

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:
E54520-1 as received by the City Council as local planning authority on the 26th January 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) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with the approved scheme as submitted before the use commences.

b) Prior to commencement of the use hereby permitted confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason -In the interests of the amenities of occupiers of nearby properties pursuant to policy DM1 of the Core Strategy.

4) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be 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 site.

b) Prior to occupation of the development a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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 policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
South East Fallowfield Residents Association
Rusholme, Fallowfield & Moss Side Civic Society

6 Standish Road, Manchester, M14 6NP
315A Wilmslow Road, Manchester, M14 6NW
8 Boland Drive, Manchester, M14 6DS
10 Carill Drive, Manchester, M14 6WR
319A Wilmslow Road, Manchester, M14 6NW
321A Wilmslow Road, Manchester, M14 6NW
264 Wilmslow Road, Manchester, M14 6JR
268 Wilmslow Road, Manchester, M14 6JR
262 Wilmslow Road, Manchester, M14 6JR
2 Boland Drive, Manchester, M14 6DS
4 Boland Drive, Manchester, M14 6DS
Unit 6, Ladybarn House, Wilmslow Road, Manchester, M14 6ND
266 Wilmslow Road, Manchester, M14 6JR
317A Wilmslow Road, Manchester, M14 6NW
Unit 5, Ladybarn House, Wilmslow Road, Manchester, M14 6ND
Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
323A Wilmslow Road, Manchester, M14 6NW
Room B Flat 49, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 49, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
321 Wilmslow Road, Manchester, M14 6NW
319 Wilmslow Road, Manchester, M14 6NW
Ground Floor, 317 Wilmslow Road, Manchester, M14 6NW
323 Wilmslow Road, Manchester, M14 6NW
315 Wilmslow Road, Manchester, M14 6NW
317 Wilmslow Road, Manchester, M14 6NW
4 Carill Drive, Manchester, M14 6WR
8 Carill Drive, Manchester, M14 6WR
6 Carill Drive, Manchester, M14 6WR
Room B Flat 47, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 38, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room D Flat 11, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room C Flat 11, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 29, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room C Flat 9, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 25, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 25, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 18, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 17, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 7, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 13, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 13, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
4 Standish Road, Manchester, M14 6NP
Room A Flat 46, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 41, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room D Flat 38, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 38, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room C Flat 12, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 33, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND

[illegible]

Room A Flat 14, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room C Flat 5, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 5, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room C Flat 13, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room D Flat 5, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room C Flat 6, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 47, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 12, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 44, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 31, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 38, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 19, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
8 Standish Road, Manchester, M14 6NP
Flat 48, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 15, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 40, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 20, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 17, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 12, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 14, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 27, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH