MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	128521/NMC/2020
Date registered valid:	6 November 2020
Proposal:	Non material amendments to planning permission referenced 119731/FO/2018 to allow elevational alterations and internal reconfiguration, involving new fire escape and access doors, other minor elevational changes, new store and plant rooms
Address:	Cheshire Cheese PH & Vacant Land (Formerly Nos 32-38), Oldham Road, Manchester, M4 5FE
Ward(s):	Ancoats & Beswick Ward
Applicant:	Cheshire Cheese Assets Ltd C/o Agent
Agent (if any):	James Berggren, EdgePlan Barnett House, 53 Fountain Street, Manchester, M2 2AN
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	16 November 2020

Application details

Type of application: Non-Material Change Application

Development type: Minor Other

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
No neighbour notifications have been printed and sent.

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 land situated at the corner of Oldham Road and Cornell Street which is presently occupied by a vacant, two storey public house (Cheshire Cheese) and a neighbouring area of hard-standing, which includes a steel storage container.

Listed building: Not applicable

Conservation area: Ancoats Conservation Area 1989

Tree Preservation Order:

Description of area

In terms of the immediate surroundings, the site fronts a major gateway route into the city centre and is situated on the edge, but within, the Ancoats Conservation Area and a short distance to the north of city centre ring road.

The site is neighboured to the rear by a large, part 5, part 6 storey mixed use apartment and commercial use complex (The Express Networks 2 Building) and to the south by more recent 6 storey mixed use developments, containing double height ground floors for commercial use, with apartments above. To the north and north-east are blocks of traditional, upgraded two and three storey terraced residential properties, with the terrace along Oldham Road containing commercial ground floor uses, including a recently opened café bar on the opposite side of Cornell Street. Opposite the site on the other side of Oldham Road is the New Cross regeneration area.

Description of development

Non material amendments are sought to planning permission referenced 119731/FO/2018 which allowed for the erection of a 7 storey building to form 38 (27 x 2 bedroom and 12 x 1 bedroom) residential apartments, with part of the ground floor containing a small retail unit

(Class A1 – 117 sqm). In addition, the proposed development includes a small ground floor car park area, cycle store, plant room and bin store.

The amendment sought in this case relates to the ground floor layout and ground floor, north western elevation which fronts Oldham Road.

The following changes are proposed:

- A new fire escape door to the Oldham Road elevation to provide an alternative escape route from the car park;
-A new fire escape door to the Oldham Road elevation to provide direct access out from the stairwell;
- Changes to adjacent glazing and addition of spandrel panel;
- A new store added to approved cycle store;
- Incoming electric room added to plant room;
- A new door providing access to the carpark; and
- Life safety equipment store added to water tank lobby.

There is no to the building footprint increase and the site red edge remains as previously approved. The minor alterations seek to provide safety, access and usability improvements.

Consultations & Notification Responses

None Required.

Issues

Principle

The principle of the development has already been assessed and agreed as part of the original planning permission. The only issues for consideration in this case relates to the impact of the proposed internal and elevational changes at ground floor level.

It is considered that the changes sought are non-material are unlikely to have any material impact upon surrounding levels of amenity, the the design of the building or the character and appearance of the Ancoats Conservation #Area.

Materiality

The changes predominantly relate to the internal configuration of the ground floor to allow changes to the back of house facilities and to improve fire escape access requirements.

Externally, a new door to provide access to the carpark is proposed, along with a new fire escape door to the Oldham Road elevation to provide an alternative escape route from the car park and a new fire escape door to the Oldham Road elevation to provide direct access out from the stairwell. This necessitates minor changes to the adjoining glazing, with the addition of a replacement spandrel panel.

It is considered that given the scale of the building and it overall design, the proposed changes would be negligible and unlikely to result in any material impact to the appearance and architectural rhythm, character and fenestration of the ground floor. The internal changes do not impact upon the size and layout of the accommodation already agreed.

On balance, the proposed changes are not believed to be material.

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 polices 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 – None required.

The proposed amendments relate to the north western elevation and ground floor layout. Namely:

- A new fire escape door to the Oldham Road elevation to provide an alternative escape route from the car park;
-A new fire escape door to the Oldham Road elevation to provide direct access out from the stairwell;
- Changes to adjacent glazing and addition of spandrel panel;
- A new store added to approved cycle store;
- Incoming electric room added to plant room;
- A new door providing access to the carpark; and
- Life safety equipment store added to water tank lobby.

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not have any significant, material or detrimental impact upon surrounding amenity or the character, appearance and function of the host building or conservation area.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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

Drawings numbered 502/P4,, 608/P1, 609/P1, 610/P1, 511/P4, 512/P4, 613/P1, 614/P1, 615/P1, 516/P4,, 518/P4, 521/P3 and 522/P3 received by the City Council as Local Planning Authority on 16 August 2018 and drawings numbered 507/P5 and 517/P4 (as a result of a non

material amendment) received by the City Council as Local Planning Authority on 6 November 2020.

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.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Ancoats Conservation Area 1989
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1