MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126763/FO/2020
Date registered valid:	6 May 2020
Proposal:	Erection of modular building to provide staff welfare facility
Address:	Transformulas House, 1A Brett Street, Manchester, M22 4EY
Ward(s):	Northenden Ward
Applicant:	Mr James Maxey Express Solicitors Transformulas House, 1A Brett Street, Manchester, M22 4EY
Agent (if any):	Mr Richard Purser RPC Planning Vernon House, 40 New North Road, Huddersfield, HD1 5LS
Case officer:	Linda Marciniak Tel: 0161 234 4636 Email: l.marciniak@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	17 June 2020

Application details

Type of application: Full Application Consent
Development type: Minor Other
Date of site visit: None
Standard consultations: Printed: 12 May 2020 Expired: 2 June 2020
Neighbour notifications: Printed: 12 May 2020 Expired: 2 June 2020
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
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The application site relates to a passageway on the western side of Transformulas House, a brick mid-C20 building situated at the junction of Brett Street and Allanson Road in the Northenden District Centre (site shaded red below). The building, occupied by Express Solicitors, has a concrete forecourt on Brett Street where parking for approximately 4.no cars is available. Additional parking in a dedicated car park is available on Allanson Road behind the two other premises occupied by the solicitors further north along Palatine Road (blue shaded area). There is a private gated alleyway on the northern side of the building accessed from Allanson Road.



Description of area
The application building sits within the Northenden District Centre, just off Palatine Road. There is residential housing to the south and east on Brett Street and to the north on Allanson Road. To the west is a hairdressers in a single-storey building and another firm of solicitors. Brett Street is managed by double yellow line Traffic Regulation Orders and time-limited parking in a defined bay outside the houses facing the site.

Description of development
The application proposes the erection of a modular building to provide staff welfare facility.

Planning History
There have been several historic applications associated with the building and its previous uses but the most recent and relevant to this proposal is the retrospective change of use granted in September 2019, (Ref: 123841/FO/2019), for the change of use from sui generis (comprising office, warehouse, workshop and showroom) to Use Class B1 (offices). Conditions attached to the approval, for a Travel Plan and provision of a smoking shelter on the western side of the building, were discharged under application CDN/19/1025.

Consultations & Notification Responses
Neighbour notifications – No comments received.

Highway Services – First comments:
Highways are concerned regarding the width of the walkway between the main building and the new modular building, plans show it to be 700mm; this will have an impact on the pedestrian circulation around the site.

It is noted that the existing on-site car parking provision will remain unaffected by the proposals. Highways have concerns that access to the new modular building will be compromised when the car parking space directly in front of the access gate is in use.

It is noted that waste and servicing arrangements are to continue as existing. Clarification is sought regarding waste collection arrangements, including the location of the waste storage points, and loading location.

Pedestrian access will remain as existing, with no boundary alterations, which is acceptable to Highways.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Contact Manchester 0161 234 5004.

Second comments:
The suggestion to alter the location of the smoking shelter is considered acceptable from a Highways perspective, subject to it being fully contained within the site boundary. Given that social distancing measures are only temporary during the current pandemic, I would suggest that this is not a relevant explanation for the lack of passing space. (Hopefully) in the not too distant future, multiple people will be able to access the smoking shelter at once.

Highways are satisfied with either of these options as the development is unlikely to generate any impact on the highway network.

Environmental Health – Recommended conditions:

Noise – External Equipment Insulation
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 (L_{Aeq}) below the typical background (L_{A90}) level at the nearest noise sensitive location.

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. The approved scheme shall be completed before the premises is occupied.

Upon completion of the development a verification report will be required 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 has 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.

Note
Following consultation with the agent who stated that external plant was unlikely to be necessary for this installation, it was agreed to prefix the condition to read, 'Any external plant that is installed…', and removes the requirement to complete the installation before the building is occupied. This gives the option to install external plant at a future point and which shall still be bound by the technical requirements of the condition.

Demolition/Construction Phase
Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase.

Information for Developers guidance documents can be downloaded using the following link: http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Greater Manchester Police – No objections. Recommended that the roof of the modular building be of robust construction. It should introduce an expanded metal into the roof to reduce the risk of breaking and entering via the proposed low level roof of the structure and that no items of value should be stored within it overnight.

Northenden Civic Society – No comments received

Northenden Neighbourhood Forum – No comments received

Issues

National Planning Policy Framework (February 2019)
The National Planning Policy Framework (NPPF) was revised and updated in July 2018 (with subsequent minor revision in February 2019), following a consultation. It provides the background against which local plans are drawn up and applications for planning permission are considered. Chapter 9 includes the proviso that:

109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Core Strategy

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.

Appendix C of the Core Strategy has a list of superseded policies and their replacements.

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.

The following specific policies are considered to be particularly relevant to the proposed development:

Policy SP1 Spatial Principles - States under Core Development Principles, that Development in all parts of the City should make a positive contribution to neighbourhoods of choice including health, safety and well-being of residents, protecting and enhancing the built and natural environment, reusing previously developed land and improving access to jobs and services.

Policy DM1 Development Management – Sets design principles for new development to reflect and is supported by relevant supplementary planning documents. Appropriate siting, layout, scale, form, massing, materials and details apply to all new development, alongside considerations of impact on amenity, surroundings, accessibility and waste storage.

Policy EC2 Existing Employment Space – Supports the retention and enhancement of employment spaces and sites.

Policy EC10 Wythenshawe – An area-based policy encompassing Northenden District Centre, to support 55ha of employment land over the plan period in the area, Policy 4 focusing economic development into the district centres. The centre is considered suitable for a mixed-use employment provision.

Policy C2 District Centres – 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 […]. Opportunities to supporting employment development should be taken to serve local communities, promote efficient reuse of buildings and land, positively contributing to regeneration. Development should complement and support a diverse centre without undermining the retail function [...] and remedy deficiencies in areas with poor access to facilities.

Policy C7 - Wythenshawe District Centres - Baguley (West Wythenshawe), Northenden and Wythenshawe Town Centre - In Northenden additional food retail will be supported, although this will be limited in scale, within the boundaries of the existing centre. The character of the centre will be maintained, with particular attention to its appearance and retail function. Further small retail units will be appropriate. Development of the evening economy will be carefully

managed to ensure that this complements the vitality of the retail and the amenity of nearby residents.

Policy T2 Accessible areas of opportunity and need – Encourages development to sustainable locations to reduce reliance on private car for transport, supporting more sustainable travel options.

Policy EN14 Flood risk – Development should minimise the risk of flooding to people, property and the environment without giving rise to increased risks elsewhere. Development shall minimise surface water runoff, including as appropriate sustainable drainage systems.

Policy EN19 Waste – All applications shall be accompanied by waste management plans to demonstrate how construction / demolition and operational waste will be minimised based on the waste hierarchy to reduce, reuse and recycle.

Unitary Development Plan for the City of Manchester (adopted 1995)
The site is unallocated in the UDP but the following saved general policies apply:

With regards to development and noise Development Control policy DC26 states that the council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the city. In giving effect to this intention, the council will consider both the effect of the new development proposals, which are likely to be generators of noise.

DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

a. the effect of new development proposals which are likely to be generators of noise; and
b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

DC26.2 states that new noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

For reasons outlined below, it is considered the proposal accords with the above policies.

Principle of development
Express Solicitors is a large local business, headquartered in Northenden, and employing approximately 280 people across its split site in two centres on Palatine Road. It is understood to now be the largest single employer in the centre and a significant contributor to the local economy by drawing in activity from staff and visitors using local shops, services and facilities.

The National Planning Policy Framework exhorts local planning authorities to create conditions that support businesses to invest, expand and adapt. It requires significant weight to be given in decision-making to the need to support economic growth and productivity and expects local planning authorities to be responsive and flexible in meeting business operating needs and changing practices.

Development plan policy EC2 supports the retention and enhancement of employment spaces and sites, whilst policy EC10 seeks to direct economic development into district centres such as Northenden, an objective echoed in policy C2.

Extending the facilities at Brett Street to provide improved staff welfare facilities and adapt to meeting changing business needs has national and local policy support, to which there is no objection in principle.

No objections have been raised by Highway Services or GMP although recommendations have been made to improve the security of the welfare facility as discussed below.



The welfare facility would be located behind the gates between Transformulas House (right) and a hairdressers (left)

Development Proposal

It is proposed to erect a modular building to the west of the Transformulas House, behind the building line and secured behind double steel gates. The modular building will provide staff with a new break-out space include a kitchenette, seating and eating area to allow staff to move away from their desks when having lunch or extended breaks. Although facilities are available at the main offices further north on Palatine Road, the applicant notes that the separation over the two sites discourages their use by staff based at Brett Street; this dedicated facility is therefore proposed to address their needs.

It is proposed to use a modular construction given the constraints;

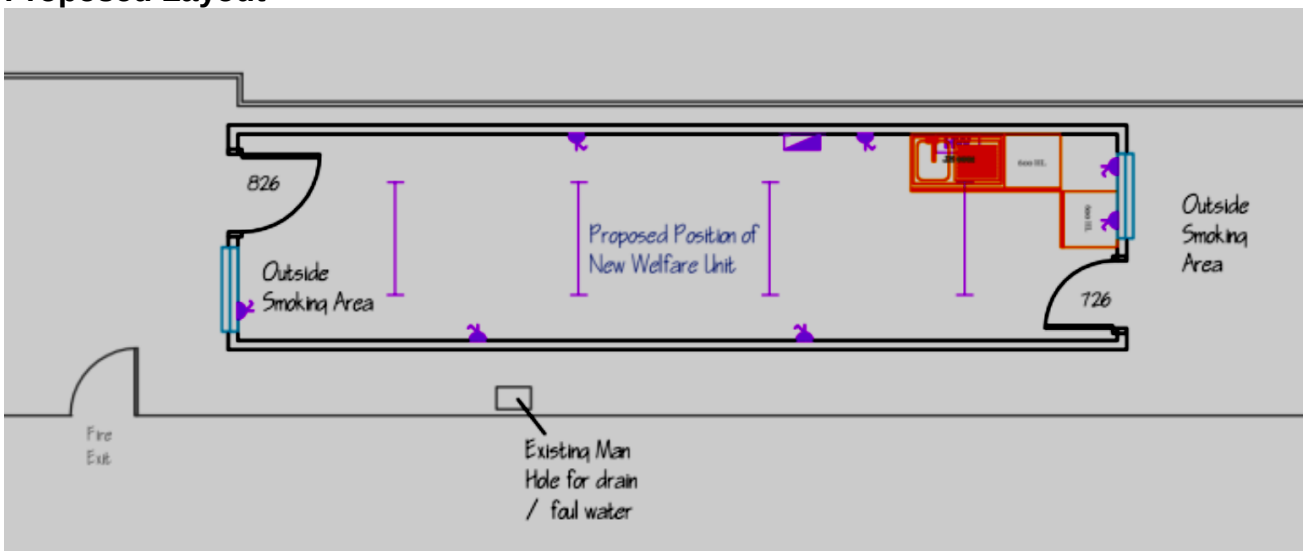
1. The relatively small scale of the building
2. The confines of the space to construct using traditional methods
3. The presence of a drain that would require substantial diversion works to build a permanent side extension.

The modular building will be 2.4m W x 9.6m L x 2.9m H, giving an approximate internal floorspace of 23.04m^2. Access will be taken from front and rear elevations with windows to the front and rear. The building will be located in front of the position of the proved smoking shelter allowing both to be used simultaneously and effectively screening the smoking shelter from the street.

The materials and finishes, as per the specification in the accompanying plans, show that the building is constructed of plastic coated steel finished in Goose Wing Grey with darker grey trims. The colour has been chosen to be the least obtrusive sitting between Transformulas House and the single storey building alongside currently occupied by a hairdressers.

Both the proposed welfare facility and the smoking shelter behind, would be situated entirely within the curtilage of the site and set behind the pair of lockable steel gates which front the passageway. A passageway on the east facing elevation is also secured behind a steel lockable gate. Although this arrangement is secure, Greater Manchester Police asked that the roof of the building be reinforced with expanded metal in the interests of crime and public safety. The scheme was amended to include a corrugated steel roof as shown on drawing 10290 Rev A (04.06.2020). Together with the lockable door and windows, this will contribute towards the safety of the facility when not in use.

Proposed Layout



Access
Access to the welfare facility is feasible from both the front and rear of Transformulas House.

Waste
The facility is not considered to result in the generation of significant waste and, as it is not associated with any uplift in staff numbers. A Waste Management Strategy and site plan have been submitted which show the current levels of waste provision in the locked private alleyway to the north of the building.

The WMS has been assessed by Environmental Health who have not raised any concerns with the existing level of provision against the proposal. Waste disposal within the modular building would fall within the arrangements for managing waste in Transformulas House.

Parking
The passageway at the side of the site is not used for vehicular parking and so no loss of parking will ensue from any approval of the proposal.

Flood Risk
The site lies 175 metres south of the River Mersey separated by several third party land ownerships and falls within Flood Risk Zone 2.

As there is no change in hard surfaced area at the site, the Flood Risk Assessment submitted with the application considers it pragmatic to propose that post-development surface water is

discharged to the local United Utilities combined water sewer network reusing the existing sewer connection from the site and that foul water is discharged to the local United Utilities combined sewer network re-using the existing sewer connection from the site.

The building, which weighs 4-5 tonnes, will sit on concrete pads and will fixed by bolted L-shaped brackets to stop risk of movement. Although the application was not subject to consultation with the Flood Risk Management team, the proposed flood risk measures and foul and surface drainage recommendations follow the standard guidance for installation of superficial structures within a lower risk flood zone.

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

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The proposed modular building raised no objections but was subject to a minor revision to reinforce the roof on the advice of Greater Manchester Police Secured by Design service.

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:

The application form, covering letter, Location Plan, Site Plan, Waste Proforma and Plan, Drawing: 200127-EXPO1-DWG-RPC1- Rev 0 and the Flood Risk Assessment provided by Integra Consulting dated January 2020, all received on the 21 April 2020.

Drawing: 200604-EXPO1-APP-DWG-10290 A Elev 02 received by email on the 4 June 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3. Any externally mounted ancillary plant, equipment and servicing that is installed, shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (L_{Aeq}) below the typical background (L_{A90}) level at the nearest noise sensitive location.

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.

Upon completion of the installation of any externally mounted equipment a verification report will be required to validate that the work undertaken throughout 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 has 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.

Informatives
Construction/demolition works shall be confined to the following days and hours:

- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase.

Information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Northenden Civic Society
Northenden Neighbourhood Forum (Pending)

8 Brett Street, Manchester, M22 4EX
10 Brett Street, Manchester, M22 4EX
1 Brett Street, Manchester, M22 4EY
6 Brett Street, Manchester, M22 4EX
31 Allanson Road, Manchester, M22 4HN
327 Palatine Road, Manchester, M22 4HH
325 Palatine Road, Manchester, M22 4HH
GODFREY HOLLAND LIMITED, Ground Floor, 341 Palatine Road, Manchester, M22 4FY
First Floor And Second Floor, 341 Palatine Road, Manchester, M22 4FY
Transformulas House, 1B Brett Street, Manchester, M22 4EY
Second Floor, 331 Palatine Road, Manchester, M22 4HH
First Floor, 331 Palatine Road, Manchester, M22 4HH
Ground Floor, 331 Palatine Road, Manchester, M22 4HH
341 Palatine Road, Manchester, M22 4FY
339 Palatine Road, Manchester, M22 4HH
337 Palatine Road, Manchester, M22 4HH
12 Brett Street, Manchester, M22 4EX
333A Palatine Road, Manchester, M22 4HH
33 Allanson Road, Manchester, M22 4HN
32 Allanson Road, Manchester, M22 4HL
30 Allanson Road, Manchester, M22 4HL
333 Palatine Road, Manchester, M22 4HH
331 Palatine Road, Manchester, M22 4HH
4 Brett Street, Manchester, M22 4EX

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) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH