

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141291/FO/2024

Date registered valid: 29 October 2024

Proposal: Erection of two storey side extension and single storey front extension to form enlarged wholesale warehouse (Class B8) together with associated parking

Address: 68 Derby Street, Manchester, M8 8AT

Ward(s): Cheetham Ward

Applicant: Mrs Davinder Johal, PJK UK Enterprises Ltd

Agent (if any): Mr Steve Costello, Contact Construction

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 23 December 2024

Application details

Type of application: Full Application Consent

Development type: Minor Industry

Date of site visit: 15 November 2024

Standard consultations:

Printed: 1 November 2024 Expired: 22 November 2024

Neighbour notifications

Printed: 1 November 2024 Expired: 22 November 2024

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 a large, two storey, detached warehouse (Class B8) fronting Derby Street.

The building incorporates a gently sloped roof and is enveloped by masonry to the ground floor and white metal cladding to the first floor.



View of application property from Derby Street

The building includes a stepped access to part of the frontage and is enclosed by a low brick wall to the front and low brick wall with metal Palisade fence topped by barbed wire to the side

and rear. The front of the building is lined by a narrow, grassed area which provides a setting to the building.



View of parking area and gap between existing buildings from Derby Street

To the eastern side of the building is a separate parking area which lies outside the existing fence line and forms part of the land subject to the proposed extension. This area comprises a tarmac surface with chevron line markings to delineate parking spaces. Bollards restrict access onto Derby Street.

Immediately to the rear of the building is a further, enclosed parking/servicing area with gated access onto Hodgson Street to the south.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is situated on the western edge, but within the 'warehouse district' - as identified by the Strangeways Local Plan, as well within the bounds of saved allocated area policy CC10 of the UDP, which seeks to encourage high levels of economic activity in the area, recognising particularly the wholesale trades that dominate the area.

The immediate area is dominated by various wholesale and cash and carry uses within low rise buildings, comprising a mixture of older, brick-built warehouses and larger, new build, metal clad structures.

Description of development

Planning permission is sought for the erection of two storey side extension and a single storey front extension to form an enlarged wholesale warehouse (Class B8), together with an associated parking at the rear. The enlarged space would allow for ancillary space, new entrance area and showrooms.

It is proposed that the external materials for the proposed extension would match the existing building.

Consultations & Notification Responses

Local Resident/Occupiers

2 objections have been received from neighbouring occupiers. Concerns are raised in relation to the proposed extension diminishing the gap and detached nature of the existing buildings, obscuring neighbouring windows culminating in reduced levels of light and the enjoyment of related rooms.

It is further maintained that the extension would block an existing access to the neighbouring building, adversely impact on access arrangements.

Highway Services

The following comments have been received:

Trip Generation

A trip generation assessment has been provided within the submitted Transport Statement which shows that the proposals would generate around 5no. and 3no. two-way vehicle trips during the AM and PM peak-hour period. Given the scale of development and in consideration of existing/permitted site operations, Highways accept that the proposals are unlikely to give rise to a significant increase in vehicle trips.

Access and Parking

The existing vehicular access from Hodgson Street will be retained to serve the development. It is noted that the access is provided from the unadopted section of Hodgson Street. A total of 8no. car parking spaces will be provided on-site, including 2no. disabled bays. The level of provision aligns with Core Strategy parking standards for B8 uses at 1 space per 100sqm (for total. 715sqm B8 use).

The associated parking aisle width appears to be relatively narrow. Highways request access to the parking bays is demonstrated with a swept-path assessment, with particular reference to the end aisle parking bay (EV bay no. 6) which is located directly adjacent to the site boundary. It is also recommended that hatching around the disabled bays is relocated from the property boundary to the car park aisle area to enable additional vehicle manoeuvring space for these bays.

Electric Vehicle Charging

The applicant has confirmed that at least 1no. min. 7kW Electric Vehicle parking bay will be provided with additional ducting to enable future provision. This is considered acceptable.

Off-site highway works

It is requested that footway reinstatement at the redundant vehicular access at Derby Street along with footway resurfacing along Derby Street is conditioned as part of any approval.

Cycle Storage

The submitted plans appear to show cycle storage for 6no. cycles to the building's western elevation via a narrow alleyway. It is unclear whether access could be physically achieved. It is requested that cycle parking is relocated to a more accessible location, with some sheltered and secure provision for (long-stay) staff use.

Waste Management

The submitted plans show provision of a bin store within the car-park area. The submitted Servicing Strategy states that bins will be moved towards Hodgeson Street to allow refuse servicing. This is considered acceptable, but such bins should be placed at a location which does not hinder pedestrian or vehicle movement either internal or external to the site.

Servicing

It is confirmed that the largest delivery vehicle expected to access the site would be a Mercedes Sprinter Panel Van 5.3m(L) x 2.345m(W). A worst case swept-path assessment has been provided for an 8m box van which demonstrates that a vehicle of this size can access, turn and egress in forward gear. Highways request that the Servicing Strategy is updated to ensure that such operations are managed to restrict vehicles larger than an 8m box van from accessing the site during store opening times. Access for any larger vehicles should take place when the customer car park is not utilised to allow for any overrun.

Construction Management

A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

Environmental Health

Conditions are recommended in relation to construction hours, external plant, waste management, the inclusion of a gas membrane and a scheme for electric vehicle charging, if the application is approved.

Greater Manchester Police (Design for Security)

Various security recommendations are made in relation to cycle storage arrangements, external shutters, external lighting, CCTV provision and the specification of new fittings being to 'Secured by Design' standards.

Planning History

138789/FO/2023

Erection of two storey side extension and single storey front extension to form wholesale warehouse (Class B8) together with associated parking. *Refused 27 February 2024.*

027658

First floor extension to existing warehouse/industrial premises to form offices with provision for 7 additional parking spaces. *Approved 19 October 1986.*

021170

Change of use from warehouse and distribution depot to a wholesale cash and carry. *Approved 1 March 1984.*

F02125

Erection of a 2-storey building to form a warehouse building, with car parking facilities on vacant land. *Approved 30 April 1975.*

Policy

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'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.

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 policies contained within the Core Strategy are considered relevant:

Policy SP1 refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Places for Everyone Greater Manchester Joint Development Plan (March 2024)

Places for Everyone Joint Development Plan was published in March 2024 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts.

The Plan forms part of the Development Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. No policies are considered directly relevant in this case.

Strangeways Local Plan – The City Council document outlines aspirations for the Strangeways area and recognises the economic importance that the area plays in the wholesale trades and an important provider of employment in Manchester.

The Local Plan identifies the site as being within the 'warehouse district' and acknowledges the need to retain and improve the neighbourhood as a vibrant business location. The Plan also encourages a programme of public realm improvements and improvements to accessibility and the physical environment.

The Guide to Development in Manchester (SPD)

This document contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

National Planning Policy Framework - The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

Section 4 provides guidance on the decision-making process and mirrors legislation in stating that planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Section 12 refer to the need to achieve well designed and beautiful places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Issues

Principle

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions are to be made in accordance with the development plan, unless material considerations indicate otherwise.

The NPPF at paragraphs 2 and 48 reinforces this requirement and at paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

In the case of this application, the principle of the proposed development is not considered acceptable and is in conflict with the aforementioned development plan policy and associated guidance.

It is considered that the proposed side extension, which would be directly abutting the neighbouring warehouse on Derby Street to the east, would form a highly dominant and

overbearing feature that would completely obscure facing windows to the side elevation of the neighbouring building, whilst enclosing the access to this building. This in turn would substantially reduce the levels of sunlight/daylight to this building, whilst creating a very narrow and enclosed access.

It is further considered that the side and front extension by reason of its siting, scale and mass, together with the lack of spacing between the host building and the neighbouring warehouse to the east and erosion of the green space to the front of the existing building, would form an visually intrusive feature which in turn would undermine the character of the host building and the visual appearance of the street-scene.

The specific issues of concern are outlined further below.

Amenity

Policy DM1 of the Core Strategy states that all development should have regard to the impact on the surrounding area in terms of design, scale and appearance, as well as the effects on amenity, including amongst other matters, light.

Policy SP1 states that development should make a positive contribution to neighbourhoods of choice including, creating well designed places that enhance or create character and making a positive contribution to the health, safety and wellbeing of residents.

Whilst it is acknowledged that commercial premises should not expect the same level of amenity as a residential property, some of level of amenity should nevertheless be afforded.

In this case, the proposed side extension would infill the existing parking area to the side of the building and adjoin the neighbouring building on Derby Street, which incorporates a series of first floor windows along its side, west facing elevation.

The windows to the side elevation of the neighbouring building, for which it is understood has no relationship with the application property, would be completely obscured by the proposed two storey side extension. This in turn would substantially reduce the level of sunlight/daylight entering the building.

The proposed extension would also enclose the existing access to the adjacent premises to the east on Derby Street to create a narrow, enclosed access, with limited natural surveillance from the public domain.

The proposed extension is therefore considered to adversely affect the levels of amenity for users of the neighbouring building and would fail to make a positive contribution to the neighbourhood or the well-being of the occupiers. On this basis, the proposed extension is considered contrary to policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Visual Amenity

It is maintained that the proposed extension is poorly conceived and fails to provide a satisfactory level of design and would cause harm to the character and appearance of the host building and immediate area.

Policy DM1 of the Core Strategy states that all development should have regard to appropriate siting, layout, scale, form, massing, materials and detail and should consider the impact on the surrounding area in terms of the design, scale and appearance of proposed development.

Policy SP1 advocates that new development should make positive contribution to neighbourhoods of choice including: - creating well designed places that enhance or create character.

Further design narrative is provided within supplementary planning guidance within the Guide to Development in Manchester (SPD).

Paragraph 2.13 states:

‘The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings. Projections and setbacks from this line, such as bays, foyers and entrance halls, can help to create visual emphasis; they should not, however, reduce safety by creating hidden areas, or accessibility by making obstructions, nor detract from the visual continuity of the frontage’.

On a national level, further guidance on the design of new development is contained within the National Planning Policy Framework.

Paragraph 135 of the NPPF states:

‘Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Paragraph 139 goes on to state:

‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes’.

The proposed extension would infill the existing green space to the front of the building which presently serves to provide a setting to the building and is set back from the back of pavement to provide some visual relief. The setting continues to the west and wraps around the neighbouring building situated at the corner of Derby Street and Waterloo Road to provide a sense of place and a degree of character.



View of application site from corner of Derby St and Waterloo Rd (extract Google Maps)

The projection of the proposed extension forward of the front elevation of the host building and the existing building line along Derby Street would create a dominant and intrusive presence in the street-scene.

The erosion of the space to the front of the building would bring built form to the back of pavement and together with the partial increase in height of the existing building would create a visually prominent feature that would narrow the streetscape.

Derby Street is characterised by large, low-rise buildings, punctuated by gaps between buildings to provide a degree of openness and uncluttered appearance.

The proposed front extension coupled with the loss of the gap to the eastern side of the building would create a bulky structure and present a visually prominent feature which would be harmful both to the character of the existing building but also the wider streetscape.

Taking account of the aforementioned policy and guidance, it is considered that the design and the appearance of the proposed extension does not take into account local design guidance or local policy and is unsympathetic to the appearance of the street-scene. On this basis, the proposed extension is not considered acceptable.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Refuse

Article 35 Declaration

Officers have attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

- 1) The siting of the proposed side extension directly abutting the neighbouring property to the east on Derby Street would obscure first floor windows to the side facing elevation of this building, whilst narrowing the existing access. This in turn would reduce levels of light to the premises whilst undermining the security for existing users by reducing the level of natural surveillance from the public domain. The proposed extension would therefore adversely affect levels of amenity for existing occupiers of the neighbouring building, contrary to policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).
- 2) The proposed side and front extension would eliminate the space between the host building and the neighbouring property to the east on Derby Street, whilst eroding the green space and setting to the front of the building, due to the projection of the extension beyond the plane of the existing front elevation. The resultant extension would form an over dominant and intrusive feature in the street-scene, which would be harmful to the character of the existing building and the wider appearance of the street-scene. As such, the proposed extension is considered contrary to policies DM1 and SP1 of the Manchester Core Strategy, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

43 Wellmead Close, Manchester, M8 8BS
41 Wellmead Close, Manchester, M8 8BS
Irene House, 90 Waterloo Road, Cheetham, Manchester, M8 8AW
45 Waterloo Road, Cheetham, Manchester, M8 8BY
51 Waterloo Road, Cheetham, Manchester, M8 8BY
Rebecca Black House, 65 Derby Street, Manchester, M8 8AT
64 Derby Street, Manchester, M8 8AT
70 Derby Street, Manchester, M8 8AT
64 Waterloo Road, Cheetham, Manchester, M8 8GJ
53 Waterloo Road, Cheetham, Manchester, M8 8BY
49 Waterloo Road, Cheetham, Manchester, M8 8BY
43 Waterloo Road, Cheetham, Manchester, M8 8BY
41 Waterloo Road, Cheetham, Manchester, M8 8BY
39 Waterloo Road, Cheetham, Manchester, M8 8BY
47 Waterloo Road, Cheetham, Manchester, M8 8BY
67 Derby Street, Manchester, M8 8HE
Caplan House, Derby Street, Manchester, M8 8AT
Alvera House, Derby Street, Manchester, M8 8AT
51 Broughton Street, Manchester, M8 8AN
55 Wellmead Close, Manchester, M8 8BS
53 Wellmead Close, Manchester, M8 8BS
51 Wellmead Close, Manchester, M8 8BS
49 Wellmead Close, Manchester, M8 8BS
47 Wellmead Close, Manchester, M8 8BS
45 Wellmead Close, Manchester, M8 8BS

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA