

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141163/JO/2024
Date registered valid: 4 October 2024
Proposal: Variation of Condition 2 (specified plans) attached to planning permission 134387/FO/2022 to include additional storage
Address: 89 Albany Road, Manchester, M21 0BN
Ward(s): Chorlton Ward

Applicant: Dvir Newman, Unicorn Grocery
Agent (if any): Sarah Renshaw, Modern City Architecture & Urbanism
Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 22.11.2024

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Retail

Date of site visit: 26.07.2022 as part of original application

Standard consultations:

Printed: 15 October 2024 Expired: 5 November 2024

Neighbour notifications

Printed: 15 October 2024 Expired: 5 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site

The application property is a retail premises, a long-standing use located towards the northern end of Chorlton District Centre. The property is served by a dedicated car parking area to the south accessed via Albany Road. The building is two storeys to the Manchester Road frontage and single storey to the rear where it borders the Metrolink line to the east. The site of the former Chorlton Leisure Centre building lies to the north of the site which has been cleared in advance of its redevelopment for residential purposes.



Aerial view of application site

Description of proposals

The original application proposals (planning approval reference 134387/FO/2022) were for the erection of a two storey side extension which would be located to the northern elevation of the building. A small forklift enclosure was also proposed to be erected on the south elevation which would be clad with timber it is this element that is subject of this variation of condition application for the inclusion of an additional storage area for pallets and would be finished in a composite timber cladding to match that of the main building and incorporate a corrugated polycarbonate roof and metal roller door. This amended element would be sited closest to the boundary with the adjacent BT compound area associated with the Telephone Exchange building to the south east.

Planning History

The application property has been subject of the following relevant planning applications:
049364/FU/SOUTH2/96 - Change of use from warehouse to retail unit with associated packaging area, storage area, office and toilets

076771/FO/2005/S1- Erection of a single storey extension to storage area together with extension to the front porch and the erection of a first-floor greenhouse, green roof to lower level and solar panel to high level roof

098452/FO/2012/S1 - Erection of first floor rear extension, installation of replacement windows and installation of timber cladding to first floor elevations

098451/FO/2012/S1 - Erection of first floor extension, installation of replacement windows and rendering to first floor elevations

115590/LE/2017 - Certificate of Lawful Existing Operation for the loading and unloading of deliveries outside the hours of 1100 hours to 1700 hours seven days a week.

128390/FO/2020 -Replacement of the existing single storey extension and alterations to windows, alterations to the car parking arrangement, including new cycle parking and trolley parking .

134387/FO/2022 - Erection of a two-storey side extension to retail store following the demolition of the existing single storey extension



Proposed Ground Floor Plan
Scale: 1:200

Additional Storage area is edged blue

Consultations & Notification Responses

Neighbouring properties were notified of the proposals, no comments were received.

MCC Highway Services – No objections from a highways perspective.

MCC Environmental Health – No comments to make

Policies

National Planning Policy Framework (as amended 2023)

The National Planning Policy Framework replaced previous guidance in PPGs and PPSs, setting out the Government's planning policies and how they are expected to be applied. The NPPF underlines that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the Framework is a material consideration in planning decisions. The core message in the document is that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester and states that, outside the City Centre and the Airport, the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles,

including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 seeks to ensure that new development contributes to the overall aims of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities and particularly by contributing to neighbourhoods of choice.

Policy C6 states that there is capacity for convenience floorspace, specifically in Chorlton District Centre, where an increase in capacity should be accommodated at existing facilities. The policy sets out that new development should contribute to the character of the centre and provide environmental improvements.

Places for Everyone - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. As it has now been adopted it forms part of Manchester's development plan. 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. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car.

Relevant policies of PfE in this instance are:

JP-S1: Sustainable development

JP-P1: Sustainable Places

For reasons to be outlined below, it is considered the proposal accords with the principles of the abovementioned policies.

Issues

Principle - The proposal as amended is for the replacement of an existing single storey covered store with a two storey extension to accommodate an enlargement of retail floorspace at ground floor and additional staff and store facilities, which was previously considered to be entirely acceptable in principle. The slight increase in floorspace is supported in policy terms having regard to policy C6 of the Core Strategy. The addition of a small addition storage area to the southern elevation is not considered to give rise to conflicts with the principle of the overall proposals.

Notwithstanding this, consideration must be given to the proposed developments design and appearance, to the proposal's impact upon the character of the area within which it is located and its impact upon residential amenity.

Design and Scale - The proposed storage extension would complement the character and function of the existing building. It is not considered that the extension would give rise to unacceptable visual impacts on the street scene as a result of the proposed design and finishes to the building. A condition is to be reimposed for the agreement of the final details of the materials.

previously restricted hours (outside of 11am and 5pm seven days a week). Whilst there is additional storage space proposed it is not considered that this would generate significant increases in servicing to the property than is currently the case.

Whilst the retail floorspace is limited it is considered prudent to attach a condition confirming the hours of opening of the premises that were set out on previous approvals at the site to ensure a consistent approach across the store.

Access - The alterations have taken accessibility for customer under consideration.

Other matters – The development has not yet commenced and no conditions have been discharged from the original planning approval, as such the original conditions together with inclusion of the amended drawings are set out within the decision.

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: Approve

Article 35 Declaration

The application has been considered in a positive and proactive manner a decision has been prepared within statutory timescale's and 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 planning permission 134387/FO/2022 that date being 14th October 2022.

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:

GA Proposed Site Plan ref 010; GA Proposed Rear Elevations 014 as received on the 15th July 2022

GA Proposed First Floor Plan ref 012 Rev A GA Proposed Elevations ref 013 Rev A as received on the 7th October 2022.

GA Proposed Ground Floor Plan ref 011 Rev B, and Proposed Forklift Enclosure 018 Rev A as received on the 4th October 2024

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 not commence until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- The routing of construction traffic;
- Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- Details of the location and arrangements for contractor parking;
- The identification of the vehicular access points into the site;
- Identify measures to control dust and mud including on the surrounding public highway including details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason - In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19, DM1 and DM2 of the Manchester Core Strategy.

4) Notwithstanding the approved plans, prior to above ground works proceeding details of the materials to be used on the external elevations of the development hereby approved shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be subsequently carried out in accordance with the approved details.

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.

5) The approved cycle storage as detailed on the approved plans listed in condition 2 of this decision shall be installed prior to the first use of the development hereby approved and shall remain available for use whilst the use is in operation.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Strategic Development Team
Highway Services
Environmental Health
Corporate Property
Chorlton Voice

102D Manchester Road, Chorlton, Manchester, M21 9BG
102B Manchester Road, Chorlton, Manchester, M21 9BG
102C Manchester Road, Chorlton, Manchester, M21 9BG
95B Manchester Road, Chorlton, Manchester, M21 9GA
95E Manchester Road, Chorlton, Manchester, M21 9GA
First Floor, 108 Manchester Road, Chorlton, Manchester, M21 9PQ
Chorlton Baths, Manchester Road, Chorlton, Manchester, M21 9PQ
2A Ransfield Road, Manchester, M21 9QH
108 Manchester Road, Chorlton, Manchester, M21 9TX
Chorlton Telephone Exchange, Albany Road, Manchester, M21 0BN
95D Manchester Road, Chorlton, Manchester, M21 9GA
95A Manchester Road, Chorlton, Manchester, M21 9GA
93 Manchester Road, Chorlton, Manchester, M21 9GA
Flat 30, 6 Redgates Walk, Manchester, M21 9GF
Flat 27, 6 Redgates Walk, Manchester, M21 9GF
95 Manchester Road, Chorlton, Manchester, M21 9GA
Flat 29, 6 Redgates Walk, Manchester, M21 9GF
Flat 28, 6 Redgates Walk, Manchester, M21 9GF
Flat 26, 6 Redgates Walk, Manchester, M21 9GF
Flat 25, 6 Redgates Walk, Manchester, M21 9GF

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA