Planning

Growth & Development

Delegated officer report for planning application

Application no.	140633/DEM/2024
Date registered valid:	21 August 2024
Proposal:	Prior Approval for demolition of building
Address:	79 - 87 Cheetham Hill Road, Manchester, M4 4ER
Ward(s):	Cheetham Ward
Applicant:	Mr Bilal Ghafoor, 312 Prime Properties Ltd
Agent (if any):	Mr Georgios Sykiotis, Longway Developments Ltd
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	No Objection
Date of recommendation:	13 September 2023.

Application details

Type of application: Proposed demolition

Development type: Notifications

Date of site visit: 23 August 2034

Standard consultations:
Printed: 23 August 2024 Expired: 14 September 2024

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 part two storey, part three storey terrace of 4 properties situated along the western side of Cheetham Hill Road at the corner of Empire Street.

View from opposite side of Cheetham Hill Road

The vacant premises formerly comprised a combination of wholesale uses and food and drink uses at ground floor level with storage above.

The host building is of traditional masonry construction with pitched slate roof. To the front are ground floor shopfronts enclosed by metal roller shutters.

To the rear is a part single, part two storey extension to the end property. Windows to the main rear elevation are presently boarded up.

View of the rear

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

In terms of the immediate surroundings, the site is located long the busy, main arterial route of Cheetham Hill Road which links north Manchester and the city centre which is located approximately 1km to the south.

The area is predominantly commercial in character situated within an employment area, dominated by low rise, uses focused around the wholesaling and distributive trades, interspersed by small-scale food and drink uses.

The site is located close to a cluster of Grade II listed buildings, including Derby Brewery Arms to the other side of Empire Street and St. Chad's Catholic Church and at former library at 124 to the opposite side of Cheetham Hill Road.

Description of development

Prior Approval is sought for the demolition of the existing terrace properties at 79-87 Cheetham Hill Road.

The application has been accompanied by a Demolition Method Statement and Structural Report which highlight both the poor structural condition of the building/s and appropriate demolition management.

The application has also already achieved consent for demolition under S.81 of the Building Act 1984 (as amended).

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health – No objection. The revised Demolition Method Statement addressed previous concerns regarding dust protection, noise control and monitoring.

Highway Services - The applicant has confirmed that the proposed hoarding would encroach the footway on Cheetham Hill Road and Empire Street by 500mm and a safety zone would be provided inside the hoarding. The width of the footway on the Empire Street is currently 2.7m which means the clear width of the footway would be 2.2m wide. On the Cheetham Hill Road the width of the pavement is currently 8.6m. Upon the installation of the hoarding the remaining width of the pavement would be 8.1m. Also, the existing pavement width at the back of the bus station is 5m, meaning upon the installation of the hoarding the remaining width would be 4.5 m wide. On this basis, no traffic/pedestrian management would be necessary.

The applicant has confirmed that the land to the rear which is currently used as parking area (with existing vehicular access provided off Empire Street) would be utilised during the demolition works. Once the demolition works are completed then the hoarding would be installed 500mm away from the footprint of the existing building within the property's land. This is considered acceptable.

Issues

Principle

Whilst the loss of the host terrace is regrettable, Prior Approval for demolition applications need only be considered on the basis of the method of demolition and the condition of the site following clearance. All other matters are considered below for completeness.

Impact and Method of Construction

Pursuant to the Environmental Impact Assessment (EIA) regulations, the proposed development does not meet the criteria for Schedule 1 or Schedule 2 development.

In any event, given the size of the site, the nature and scale of the structure to be demolished and the site context, it is considered that any issues would only be of local importance and due to the satisfactory amelioration and mitigation of any effects, as detailed within the submitted Demolition Management Statement, the means of construction is considered satisfactory.

The submitted Statement details site specific requirements, including details of site access, disconnection of services, material removal, traffic management, disconnection of services, personal protective equipment, emergency arrangements, dust suppression, and best practice measures.

On the basis of the submitted, information, it is not believed that the proposed demolition works would have any serious, detrimental environmental impact on the surroundings, including adjoining buildings. Environmental Health and Highway Service raise no concerns to the proposed means of demolition. The condition of the site post demolition is considered satisfactory. As such, the works are considered acceptable.

Condition of the site following clearance

The terrace proposed to be demolished would be enclosed by temporary, hoardings to screen the site and to prevent unauthorised access. This is expected to be a temporary arrangement in advance of the site developed. Post demolition, the site is to be filled with clean hardcore, re-graded to blend with existing levels, finished with subsoil, and grass seed.

Residential Amenity – There are no residential occupiers within immediate proximity of the site Demolition is also anticipated to be short-lived and temporary in duration.

Heritage – Whilst there are Grade II listed building in close proximity of the site, the impact to their setting is not a relevant consideration, pursuant to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 11, Class B.

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 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: No Objection

Article 35 Declaration

The City Council is satisfied that the demolition works in this case are satisfactory and the means of demolition and condition of the site post demolition woudl not have a significant impact on the environment. The decision is based on the submitted Demolition Method Statement, Structural Report prepared by Vanguard Structural Engineers (Ref: 2919-430_L01) and drawing referenced Sk_001 (site plan hoarding), received by the City Council as Local Planning Authority on 26 July 2024 and drawing referenced CHT_STA_PL_001 (location plan) and accompaning e-mail received by the City Council as Local Planning Authority on 12 September 2024.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit

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
Area Team Boundary - Name: NORTH AREA