

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141052/NMC/2024

Date registered valid: 18 September 2024

Proposal: Non material amendment to planning permission 135720/JO/2022 to alter internal layout of ground floor to accommodate an office, internal car parking spaces including reducing the number of spaces from 408 to 406 and minor alterations to planting and louvre locations

Address: Land At Poland Street , Manchester, M4 6BR

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Barney Harle Manchester City Council

Agent (if any): Mrs Heather Leeson Buttress

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation:

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

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 site is 0.33 hectares and bounded by Poland Street, the City Court Trading Estate, Crown Industrial Estate and Ancoats Green. The site is in Ancoats close to New Islington and Miles Platting. These are areas which have seen significant investment in new housing and place making.

Low rise industrial units, which form the Poland Street Industrial Estate, occupied the site – these have recently been demolished. A variety of tenants occupy the units which are accessed off Poland Street. There is hardstanding which forms car parking at the centre of the site with a small number of trees. Boundary treatment secures the site from Ancoats Green

Listed building: Not applicable

Conservation area: Ancoats Conservation Area 1989

Tree Preservation Order:

Description of area

The Ancoats area is characterised by medium to high density residential developments, with ground floor commercial uses, either within new buildings or conversions, concentrated around Cutting Room Square.

The Poland Street area contains low rise industrial buildings and older buildings occupied by businesses. The site is surrounded by industrial uses as well as Ancoats Green. Cotton Field Park, New Islington Marina, New Islington Free School (along Redhill Street) and the Medical Centre (along Old Mill Street) provide essential amenities for residents in Ancoats and New Islington. The site is in the Ancoats conservation area and there are the following listed

buildings or structures are within a 250 metres of the site, Beehive Mill (Grade II*), Doubling Mill Fireproof Mill (Grade II*), New Mill (Grade II*), Little Mill (Grade II), Union Street Bridge (Grade II) and Victoria Square (Grade II). The site is also known to have below ground archaeological remains.

The site also falls within Flood Zone 1 and is in a critical drainage area. The site is not within an Air Quality Management Area (AQMA), but it is approximately 40 metres to the north of the AQMA along Oldham Road. Traffic associated with the development is likely to use roads within the AQMA.

Description of development

Non material amendment to planning permission 135720/JO/2022 to alter internal layout of ground floor to accommodate an office, internal car parking spaces including reducing the number of spaces from 408 to 406 and minor alterations to planting and louvre locations

Consultations & Notification Responses

N/A

Issues

The proposed changes can be summarised as follows:

- Cycle Store increased in size and cold water storage decreased.
- Social space and expansion locker space reconfigured.
- East lobby increased in size to include space for payment machines
- Staff Office and WC incorporated in BOH area. Minor changes to internal areas in the following use category spaces
- Resident Locker – Minor reduction due to technical development.
- Social Space – Minor reduction due to technical development.
- Cycle Café – Minor Reduction due to lift lobby increase.
- Rapid EV relocated to second floor due.
- Motorcycle spaces at Level 1 Lower relocated - numbers retained
- Overall parking space numbers altered from 408 to 406.

The proposed changes would be considered minor and would improve the overall function of the scheme. The changes are considered to be non material in nature.

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

Condition(s) to be attached to decision for approval

1) The changes proposed seek to alter internal layout of ground floor to accommodate an office, internal car parking spaces including reducing the number of spaces from 408 to 406 and minor alterations to planting and louvre locations

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

- 9032-BA-XX-00-DR-A-(04)900 - Ground Floor GA Plan - Rev 03
- 9032-BA-XX-01-DR-A-(04)901 - First Floor GA Plan - Rev 03
- 9032-BA-XX-02-DR-A-(04)902 - Second Floor GA Plan - Rev 03
- 9032-BA-XX-00-DR-A-(04)910 - Site GA Plan - Rev 03
- 9032-BA-XX-XX-DR-A-(05)900 - North Elevation - Rev 02
- 9032-BA-XX-XX-DR-A-(05)902 - South Elevation - Rev 02
- 220917_MobilityHub_Stage 5 Update Summary

Received by the City Council, as Local Planning Authority, on the 18 September 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.

2) 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 result in any significant material alterations to the planning approval.

16) The social space and cycle cafe, as indicated on drawing 032-BA-XX-00-DR-A- 04)900-03 received by the City Council, as Local Planning Authority, on the 18 September 2024 shall can be occupied as Use Class E and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification). The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

17) (a) Notwithstanding the Acoustic Statement (20291-R05-G Acoustic planning report), received by the City Council, as Local Planning Authority, on the 12 December 2022, prior to the first use of the social space and cycle cafe as indicated on drawing 032-BA-XX-00-DR-A-04)900-03 received by the City Council, as Local Planning Authority, on the 18 September 2024, a scheme of acoustic insulation for that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the façade of the nearest noise sensitive location, and internal noise levels at structurally adjoining residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively

(b) Prior to the first use of the social space and cycle cafe, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

18) Prior to the first use of the social space and cycle cafe, as shown on drawing 032-BA-XX-00-DR-A-04)900-03 received by the City Council, as Local Planning Authority, on the 18 September 2024, details of a scheme to extract fumes, vapours and odours from that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial units pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

19) Prior to the first use of the social space and cycle cafe as indicated on drawing 032-BA-XX-00-DR-A-04)900-03 received by the City Council, as Local Planning Authority, on the 18 September 2024, details of any roller shutters to the ground floor of that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first use of the commercial unit and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

20) Deliveries, servicing and collections including waste collections to the social space, cycle cafe and delivery hub (including use of Poland Street Loading Bay), as indicated on drawing

032-BA-XX-00-DR-A- 04)900-03 received by the City Council, as Local Planning Authority, on the 18 September 2024 shall not take place outside the following hours:

Monday to Saturday 07:00 to 20:00

Sundays (and Bank Holidays): 10:00 to 18:00

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

21) The social space and cycle cafe hereby approved, as indicated on drawing 032-BA-XX-00-DR-A- 04)900-03 received by the City Council, as Local Planning Authority, on the 18 September 2024, shall not be open outside the following hours:-

Monday to Saturday 08:00 to 19:30

Sundays (and Bank Holidays): 10:00 to 18:00

There shall be no amplified sound or any amplified music at any time within the unit.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

22) The social space and cycle cafe as shown on drawing 032-BA-XX-00-DR-A- 04)900-03 received by the City Council, as Local Planning Authority, on the 18 September 2024, shall remain as one unit and shall not be sub divided without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

30) The Mobility Hub hereby approved shall be used as a multi modal Mobility Hub (Sui Generis) including 406 car parking spaces, 150 cycle Hub and delivery Hub with ancillary commercial space (221 sqm) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

Reason - To ensure that the accommodation is used solely for the intended purpose - as a mobility hub and to safeguard the amenities of the neighbourhood; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of the hubs facilities pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

33) (a) Prior to the first use of the cycle hub, the 150 cycle spaces, as indicated on drawing 032-BA-XX-00-DR-A- 04)900-03 received by the City Council, as Local Planning Authority, on the 18 September 2024 shall be implemented and retained and maintained in situ for as long as the development remains in use.

(b) The number of cycle spaces shall be reviewed annually as part of the travel plan requirements of condition 36 of this planning permission (commencing from the date of this permission). The survey shall be completed within 7 days of each annual review date and the results of the survey provided to the City Council within 7 days thereafter. Any additional cycle spaces identified as part of this review shall be implemented within two months of approval of the annual agreement.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures and air quality pursuant to policies SP1,T1, T2, EN14 and DM1 of the Manchester Core Strategy (2012).

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

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) -

Area Team Boundary - Name: CENTRAL