

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140540/FO/2024

Date registered valid: 16 July 2024

Proposal: Retention of car park, pay machine, and boundary treatment for a further 5 years

Address: Land Bounded By Julia Street, Charter Street, Newcombe Street & Francis Street, Manchester,

Ward(s): Cheetham Ward

Applicant: Mr Ghulam Haider Millennium Car Parks Ltd.

Agent (if any): Mr Christie McDonald Steven Abbott Associates LLP

Case officer: Danielle Cooper
Tel: 0161 234 1658
Email: danielle.cooper@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **06/09/2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 20th August 2024

Standard consultations:

Printed: 31 July 2024 Expired: 21 August 2024

Neighbour notifications

Printed: 31 July 2024 Expired: 21 August 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: n/a

Conservation area: n/a

Tree Preservation Order: n/a

Description of area

The application site relates to a rectangular shaped area of vacant scrubland bounded by Julia St to the north, Charter St to the east, Francis St to the south and Newcombe St to the west.

The site measures 827 square metres in area and is neighboured by industrial warehouse type uses on all sides. A short distance to the north lies HMP Strangeways.

The site is situated within the heart of the Strangeways area of Manchester to the northern fringe of the city centre.

Aside from HMP Strangeways which dominates the area, the locality contains a vast array of wholesale cash and cash businesses which serves the city and the surrounding

region. The area is characterised by warehouses and depots with many businesses occupying, low-rise, buildings with large floor plates within a strong grid street pattern. A Travel Lodge hotel is situated a short distance to the south west along Great Ducie St.

Description of development

Planning permission is sought for the retention of car park, pay machine and boundary treatment for a further 5 years. The proposal includes 39 spaces, 2 disabled spaces, 2 motorcycle and 2 bicycle.

Planning History

110235/FO/2015/N1 - Use of vacant plot for a public car park for a temporary period of 2 years including installation of pay machine and associated boundary treatment – Approved (Not implemented)

117619/FO/2017 - Use of vacant plot for a public car park for a temporary period of 2 years including installation of pay machine and associated boundary treatment – Approved (Not implemented)

125108/FO/2019 - Change of use to create temporary car park to a period of 12 months including installation of pay machine and associated boundary treatment – Approved (Implemented)

- The applicant appealed this decision notice, as they originally requested a temporary permission for 5 years. This was allowed at appeal.

CDN/21/0065 - Discharge of conditions 4 (boundary treatment), 6 (drainage) and 9 (security measures) attached to planning application referenced 125108/FO/2019 – Approved

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representations were received.

Highways were consulted and made the following comments that the scheme required off-site highway works and a S279 agreement is required. Additional info in regards to boundary treatments was also requested.

Environmental Health – no objections.

The Flood Management Team – no further comments as the development has already been approved under application ref: 125108/FO/2019 & CDN/21/0065 and is currently in use.

Greater Manchester Police were consulted and provided no comments.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy CC1 – Primary Economic Development Focus: City Centre and Fringe
- Policy CC4 – Visitors – Tourism, Culture and Leisure
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy DM1 – Development Management
- Policy T1 – Sustainable transport
- Policy T2 – Accessible areas of opportunity and need

Saved Unitary Development Plan for Manchester - The following saved UDP Policies are of relevance to this application:

- Policy DC26 – Development and Noise

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. The Plan is now adopted planning policy and its policies must therefore be given significant weight in the planning balance.

The following policies are considered relevant to this application.

- Policy JP-P1 - Sustainable Places
- Policy JP-S1 - Sustainable Development

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving well-designed places

Other Legislative Requirements

Strangeways SRF

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 SRF 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 proposed use as a car park within the identified warehouse district is considered appropriate.

The Great Ducie Street Strategic Regeneration Framework was completed in 2018 and outlines the future aspiration for the area. The application site has an allocation for commercial activity therefore, the continual use of the site for car parking purposes is considered not to be acceptable on a long term basis. However, a temporary consent for 5 years is considered appropriate in this instance given that there are currently no shorter term proposals of how this site will be used for the regeneration of the area.

Issues

Principle of development

The site is located within the Great Ducie Street Strategic Framework area. Given its size, and the scale of the transformation envisaged, the framework states that the full development of the area could take around twenty years.

Whilst change within the area is imminent, given the small scale size of the land, the LPA consider on balance that a further temporary consent for 5 years would not prejudice the wider objectives to regenerate the area.

On this basis, the principle of the proposal is acceptable.

Impact on visual amenity

The site is already used as a car park and no changes are sought. Given that this is an area undergoing incremental improvements through gradual regeneration this is considered to be acceptable.

Crime and Disorder

The use of the car park results in increased comings and goings which provides natural surveillance for the surrounding area and therefore increases crime prevention.

Impact on residential amenity

There are no immediate residential occupiers within close proximity to the site and as such the use of land as a car park raises no concern to residential amenity.

Whilst a Travel Lodge hotel is situated a short distance to the south west, it is considered that given existing background noise levels and levels of activity, any impact upon the amenity of patrons will be negligible.

Environmental Health raised no objections to the proposal.

Impact on highway safety

No objection has been raised by Highway Services in relation to the principle of a car park use and the impact this would have on the local highway network.

They have requested additional information in regards to off-site highway works and boundary treatment. An informative will be attached to any consent granted to ensure the applicant is aware that a S278 agreement should be entered for the new access and change of existing traffic regulation order.

Air Quality

Due to the location of the application site close to an Air Quality Management area.

The impact of the use of the site as a 39 space car park the impact is are negligible and would not warrant refusal of this planning application. The relevantly small amount of additional vehicle within the area would not significantly increase pollutions levels. Furthermore, vehicle movements would increase only marginally during peak times, it would not affect local air quality conditions.

Conclusion

In light of the above the proposal has been found to be acceptable and is therefore in accordance with Core Strategy Policies SP1, CC1, CC4, EN1, T1 and DM1, Saved Unitary Development Plan Policy DC26, Places for Everyone policies Policy JP-P1 and Chapter 12 of the National Planning Policy Framework.

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

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

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

1) The permission hereby granted is for a limited period of five years beginning with the date of this permission; and the use comprising the development for which permission is hereby granted is required to be discontinued on that date and on removal of this any damage to the application site is to be made good.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be operated in accordance with the following plans and documents:

The drawings referenced:

- LOCATION PLAN (received 16.07.2024)
- PLANS (received 16.07.2024)

Reason - Pursuant to Core Strategy Policies SP1 and DM1.

Informatives

1) For any works on the adopted highway, the applicant will be required to enter into a Section 278 agreement for the alterations to the existing highways. This will require the agreement with MCC's Highways Applications and Network Resilience teams via email at highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

Basement, 45 Julia Street, Manchester, M3 1LN
Ground Floor, 45 Julia Street, Manchester, M3 1LN
Unit 2, Cortress House, Julia Street, Manchester, M3 1DQ
20 Briddon Street, Manchester, M3 1LS
William Lindop Limited, Warehouse Junction Dutton Street, Julia Street, Manchester, M3 1DQ
Unit 1, Cortress House, Julia Street, Manchester, M3 1DQ
Travelodge, Great Ducie Street, Manchester, M3 1PT
2 - 16 Charter Street, Manchester, M3 1LY
45 Julia Street, Manchester, M3 1LN
43 Julia Street, Manchester, M3 1LN
First Floor, 45 Julia Street, Manchester, M3 1LN
Cortress House, Julia Street, Manchester, M3 1DQ

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
Flood Zones Type 2 (low to medium risk) -
Area Team Boundary - Name: CENTRAL