

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138547/FO/2023
Date registered valid: 13 January 2024
Proposal: Installation of replacement windows
Address: 67 Ardwick Green North, Manchester, M12 6FX
Ward(s): Ardwick Ward

Applicant: Miss Jenny Wong, Manchester Chinese Centre
Agent (if any): Mr Reuben Ramelize, Arch Designs
Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 6 March 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 13 February 2024

Standard consultations:

Printed: 17 January 2024 Expired: 7 February 2024

Neighbour notifications

Printed: 17 January 2024 Expired: 7 February 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: No

Tree Preservation Order: No

Description of area

This application relates to premises situated in a 3-storey terrace of offices located at the junction of Ardwick Green North and Durling Street. The application premises is at the end of the terrace which has been entirely constructed in a Georgian style. It is separated from Ardwick Green North by a low wall and railings and its gable elevation, incorporating windows at each level is constructed up to the back of pavement to Durling Street. Each of the 6 units incorporates 3-storey projecting outriggers. The elevational treatment comprises of ground floor render, red/orange brickwork above, with the roof constructed using dark grey concrete tiles. To the rear of the premises is a car parking area serving the substantive development, which is accessed from Durling Street and is enclosed with palisade fencing. The application property is used as a community centre. The property has an authorised two storey rear extension (approved under ref: 117683/JO/2017) and an external playground (approved under ref: 105467/FO/2014/N2). The installed canopy and outbuildings relating to the play area do not appear to have been authorised.



Fig.1 – Views of the application property

Description of development



Fig.2 – Proposed elevations

The proposed development involved to the replacement of existing timber framed blue painted windows to allow elevations of the application property. The new windows would be double glazed and fitted into the existing openings. The frames would be uPVC with a blue colour

treatment to match the existing window frames with the wider terrace. The windows would have a matching four pane sash window frame design. For reasons of security railing grilles are proposed the ground floor side and rear elevations.

Site history

- i. 117683/JO/2017: Approved - 08.12.2017 - 67 Ardwick Green North, Manchester, M12 6FX
Variation of condition 2 of planning permission reference 113462/FO/2016 to allow elevational changes
- ii. 105467/FO/2014/N2: Approved - 11.06.2014 - The Chinese Centre, 67 Ardwick Green North, Ardwick, Manchester, M12 6FX.
Creation of childrens play area in existing parking area, at rear of building, and erection of 1.8 metre high weldmesh fence and gates
- iii. 113462/FO/2016: Approved - 09.01.2017 - 67 Ardwick Green North, Manchester, M12 6FX.
Erection of 2 storey rear extension to form 2 no. additional classrooms
- iv. 100803/REP/2012/N2: Approved - 05.12.2012 - 67 Ardwick Green North, Ardwick, Manchester, M12 6FX.
Application for a new planning permission to replace extant planning permission reference 090839/FO/2009/N2 for the erection of a 2 storey rear extension to form 2 class rooms in association with existing use as a community centre.
- v. 090839/FO/2009/N2: Approved - 11.11.2009 - 67 Ardwick Green North, Ardwick, Manchester, M12 6FX.
Erection of a 2 storey rear extension to form 2 class rooms in association with existing use as a community centre
- vi. 088536/FO/2008/N2: Withdrawn - 28.07.2009 - 67 Ardwick Green North, Ardwick, Manchester, M12 6FX.
Erection of a three storey rear extension to form additional community accommodation
- vii. 076512/FO/2005/N2: Refused - 05.10.2005 - 67 Ardwick Green North, Ardwick
Change of use from office to food processing use (ground floor only)
- viii. 077514/FU/2005/N2: Approved - 10.01.2006 -67 Ardwick Green North, Ardwick, Manchester, M12 6ES.
Change of use from training offices to Chinese community centre
- ix. 033724: Approved - 27.04.1989 - 67-71, Ardwick Green, Ardwick.
Construction of a three storey office building with 17 car parking spaces
- x. F07717: Approved - 19.11.1977 - 67-71 Ardwick Green North.
Use of warehouse/light industrial premises as a hosiery manufacturers.
- xi. F17322: Withdrawn - 13.01.1983 - Site of, 69-71 Ardwick Green North, Ardwick.
Erection of 2 buildings on vacant land to form night shelter hostel accommodation.

Consultations & Notification Responses

Local residents – No comments received.

Highways – The following comments have been received:

- i. The proposed replacement windows to the rear and front elevation of the property are within the site curtilage;
- ii. The proposed replacement window to the side elevation of the property is located adjacent to the adopted highway of Durling Street.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework are considered to be relevant.

- i. Chapter 8 Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion. It is considered that the development would utilise existing window opening thereby reflecting the existing circumstances and enhance security arrangements have been included with regarding to ground floor window grilles. Chapter 8 would thereby be appropriately responded to.
- ii. Chapter 12: Achieving well-designed places - States that 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. In this case, the design of the window frames would maintain the character and appearance of the existing building.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters;
- ii. Design;
- iii. Health and well-being.

The core principles and policy guidance contained within the PPG have been directly related to the assessment of the potential impact of the development on residential amenity, the character of the existing community building. It is considered that the proposed works would not be

harmful to residential amenity and would help to secure the on-going sustained use of a building of historic significance.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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 are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the core development principles for parts of the City. In this case, it is considered that the following principles have been positively responded to:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

The development would aid the sustained use and operation of an important community centre and reduce potential carbon emissions. Policy SP1 would thereby be accorded with.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development should be appropriately related urban design principals as set out in national planning guidance and listed above alongside policy to safeguard the character of the area in which the development is located. The proposed design of the window frames would ensure that there would not be a substantial departure from the character and appearance of the application property. Policy EN1 would thereby be accorded with.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- Effects on amenity;
- Community safety and crime prevention;
- Design for health.

The development would facilitate the continued use of the building as a community centre and be appropriately related to the above criteria.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on

seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes. In this case, discussions have secured confirmation of the window frame specification. The application has been appropriately assessed with reference to the submitted and supplementary information.

Principle of the development – The proposal would facilitate the replacement of timber framed windows that have reached the end their viable lifespan. The design and colour treatment of the proposed uPVC windows would maintain the relationship of the application site and the character and appearance of the wider terrace.

Design and appearance – The design reflects the character of the existing windows. Replacement uPVC windows with a blue colour treatment have been used elsewhere within the terrace and their use, in this case, is considered to be appropriate. The specification of the window frames has been related to the development by condition.

Energy efficiency and carbon reduction – The development would improve the environmental performance of the property and thereby aiding future carbon emissions, which would be a positive benefit.

Outbuildings and canopy in the play area – The siting of outbuildings and installation of a canopy to the rear enclosed play area do not appear to benefit from planning permission. This matter can be appropriately addressed outside the context of this planning application.

Conclusion – It is considered that the development has been appropriately related to the application property and adjoining terrace.

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, discussions have secured confirmation of the window frame specification. The application has been appropriately assessed with reference to the submitted and supplementary information.

Condition(s) to be attached to decision for approval

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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 received by the City Council as local planning authority on 13 November 2023 and 14 November 2023:

Planning application forms

Proposed plans Ref: A1/03

Proposed elevations Ref: A1/04

(amended by email from Arch Designs dated 28 February 2024 confirming window frame material and colour specification).

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 for the City of Manchester.

3) The development hereby approved shall be fully implemented in accordance with the following window frame material specifications confirmed in email from Arch Designs dated 28 February 2024:

Top opening, double glazed uPVC windows with blue colour treatment (RAL 5002) with matching sealant.

The window frames shall be maintained in accordance with the approved materials specification at all times thereafter.

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 for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services

69 Ardwick Green North, Manchester, M12 6ES
Flat 2, 1 Durling Street, Manchester, M12 6FS
Flat 6, Hudson Court, 65 Ardwick Green North, Manchester, M12 6ER
Flat 5, Hudson Court, 65 Ardwick Green North, Manchester, M12 6ER
Flat 4, Hudson Court, 65 Ardwick Green North, Manchester, M12 6ER
Flat 3, Hudson Court, 65 Ardwick Green North, Manchester, M12 6ER
Flat 2, Hudson Court, 65 Ardwick Green North, Manchester, M12 6ER
Flat 1, Hudson Court, 65 Ardwick Green North, Manchester, M12 6ER
73 Ardwick Green North, Manchester, M12 6FX
12 Durling Street, Manchester, M12 6FS
Flat 3, 1 Durling Street, Manchester, M12 6FS
Flat 1, 1 Durling Street, Manchester, M12 6FS
Jubilee House, 10 Durling Street, Manchester, M12 6FS
71 Ardwick Green North, Manchester, M12 6FX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA