

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139101/FO/2024

Date registered valid: 26 January 2024

Proposal: Replacement of timber decking to terrace flat roof with new insulated flat roof covering, periscope risers and PC pavings, and replacement of doors.

Address: Flat 5, 22 Turner Street, Manchester, M4 1DZ

Ward(s): Piccadilly Ward

Applicant: Clear Building Management Ltd Robert Innocent IGL Surveying Ltd

Agent (if any): Mr Robert Innocent IGL Surveying Ltd

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20/03/2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 26/02/2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 30 January 2024 Expired: 20 February 2024

Site notice

Posted: 01/02/2024 Expired: 22/02/2024

Press advert

Published: 6 February 2024 Expired: 20 February 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order: n/a

Description of area

The proposal site is located within Manchester City Centre in an area known as the Northern Quarter. This area consists of a variety of uses, as would be expected in a City Centre location, including cafes, restaurants, bars, multi-storey car park and barber shop. The site is also a very short walk to the city's vibrant nightlife and retail offering.

Description of development

The proposal seeks the installation of a new door to the roof terrace of flat 5, replacing an existing timber door with a new aluminium door designed to visually match the existing door, together with new floor/roof finishes to the terrace itself. This would comprise a new bitumen felt roof lining, with concrete pavers supported by PVC pedestals to allow necessary airflow. An existing horizontally laid Velux would be replaced by a new smoke vent to address water the water ingress issues that have necessitated the works and to ensure adherence with building regulations.

Consultations & Notification Responses

Publicity – a notice was displayed on site informing passers-by of the development. A notice was posted in the local press advertising the works as those affecting a conservation area. Letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

Issues

The main policies that relate to this application are DM1 (Development Management), SP1 (Spatial Principles) of the Manchester Core Strategy (2012) and DC18 of the Unitary Development Plan for Manchester (1995).

Principle

The development relates to works to the roof terrace/ patio of Flat 5, 22 Turner Street. The area has fallen into a state of disrepair owing to its exposure to the elements and issues with water ingress stemming from a poorly installed Velux window that serves as a rooflight into the building's stairwell.

The proposal would seek to replace the existing timber doors with a new aluminium system. This would ensure the doors are more durable, to futureproof this element of the building from the elements, which this elevation on to the roof terrace is particularly exposed to, given the height of 22 Turner Street relative to the surrounding edifices.

The terrace floor would be refitted, with the existing rotten timber planks replaced with concrete pavers. The change, again, is in the interest of providing a more long-lasting and durable finish to the roof of the building, which has suffered significant water ingress over the previous years.

It is for the same reason that the Velux window into the stairwell of the building, which sits within the patio area, is to be replaced with a fire rated purge vent. The orientation of the existing window has allowed water ingress into the rooftop. This has caused damage to the underlying structure and the timber decking has now become compromised and unsafe. The works would see a new waterproof membrane installed under the pavers to protect the roof itself from water damage.

It is considered that the principle of the works is acceptable as they would allow for the upkeep of an area of the building in a poor state of disrepair. However, as the works would materially alter the external appearance of the building, the impacts of the development on visual amenity must be considered.

Visual Amenity

Despite the change in materiality, the proposed new door would be designed so as to create a visual like for like replacement for the existing doors. Hence, the impact on visual amenity is considered to be negligible.

Whilst the new patio floor would constitute a significant change in materiality and appearance, owing to the height of the fencing around the terrace and the scale and massing of surrounding buildings it is unlikely to be visible from anywhere outside of Flat 5 itself. Likewise, it is unlikely that the new purge vent would be highly visible owing to its siting.

On balance, it is considered that there are no visual amenity concerns that would warrant a refusal. The development is therefore considered acceptable pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012), which require the City Council to have regard to the impact of development on visual amenity.

Impact on the conservation area

The works would materially alter the external appearance of a building situated within the boundaries of the Smithfield Conservation area and hence an assessment of the impact of the works on this designated heritage asset must be undertaken.

The terrace and doorway are not visible from any public vantage point at street level, owing to the tight street pattern and height of the building. There would be some limited view from a nearby block of flats at 25 Church Street, to the south of the development site. There are no views from other buildings on the other three sides, owing to the roofline and fencing to the boundary of the terrace.

On balance, it is considered that there would be a negligible impact on the conservation area which would not warrant a refusal. Hence, the development is considered acceptable pursuant to policies EN3 and CC9 of the Manchester Core Strategy (2012) and DC18 of the Unitary Development Plan for Manchester (1995), which all require the City Council to consider the impact of new development on designated heritage assets.

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 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 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:

-Drawing - Proposed ELEVATION

-Design & Access Statement DESIGN AND ACCESS STATEMENT

Both received by the City Council, as Local Planning Authority, on 26/01/2024

-Supporting Information HERITAGE BROCHURE SMART ARCHITECTURAL ALUMINIUM

received by the City Council, as Local Planning Authority, on 19/02/2024

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 new doors hereby approved shall be manufactured and installed in accordance in accordance with the approved details:

-Drawing - Proposed ELEVATION received by the City Council, as Local Planning Authority, on 26/01/2024

-Supporting Information HERITAGE BROCHURE SMART ARCHITECTURAL ALUMINIUM received by the City Council, as Local Planning Authority, on 19/02/2024

The approved details shall be implemented in full as part of the development and remain in situ for the lifetime of the development.

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

Appendix 1 – List of consultees & neighbours notified

Flat 406, 25 Church Street, Manchester, M4 1PE
Flat 409, 25 Church Street, Manchester, M4 1PE
Flat 507, 25 Church Street, Manchester, M4 1PE
Flat 803, 25 Church Street, Manchester, M4 1PE
Flat 102, 25 Church Street, Manchester, M4 1PE
Flat 306, 25 Church Street, Manchester, M4 1PE
Flat 411, 25 Church Street, Manchester, M4 1PE
Flat 605, 25 Church Street, Manchester, M4 1PE
Flat 311, 25 Church Street, Manchester, M4 1PE
Flat 501, 25 Church Street, Manchester, M4 1PE
Flat 601, 25 Church Street, Manchester, M4 1PE
Flat 405, 25 Church Street, Manchester, M4 1PE
Flat 804, 25 Church Street, Manchester, M4 1PE
Flat 203, 25 Church Street, Manchester, M4 1PE
Flat 109, 25 Church Street, Manchester, M4 1PE
Flat 112, 25 Church Street, Manchester, M4 1PE
Flat 103, 25 Church Street, Manchester, M4 1PE
Flat 303, 25 Church Street, Manchester, M4 1PE
Flat 312, 25 Church Street, Manchester, M4 1PE
Flat 302, 25 Church Street, Manchester, M4 1PE
Flat 8, Solmame House, 7 Union Street, Manchester, M4 1PB
Flat 2, Solmame House, 7 Union Street, Manchester, M4 1PB
Flat 12, Solmame House, 7 Union Street, Manchester, M4 1PB
3 Union Street, Manchester, M4 1PB
Flat 508, 25 Church Street, Manchester, M4 1PE
Flat 408, 25 Church Street, Manchester, M4 1PE
Flat 410, 25 Church Street, Manchester, M4 1PE
Flat 106, 25 Church Street, Manchester, M4 1PE
Flat 207, 25 Church Street, Manchester, M4 1PE
Flat 304, 25 Church Street, Manchester, M4 1PE
Flat 801, 25 Church Street, Manchester, M4 1PE
Flat 510, 25 Church Street, Manchester, M4 1PE
Flat 11, Solmame House, 7 Union Street, Manchester, M4 1PB
Top Flat, 16 - 20 Turner Street, Manchester, M4 1DZ
Flat 408 To 415, Clydesdale House, 27 Turner Street, Manchester, M4 1DG
Ground Floor Right, 27 Turner Street, Manchester, M4 1DQ
Flat 101 To 109, Clydesdale House, 27 Turner Street, Manchester, M4 1DG
Flat 105, 25 Church Street, Manchester, M4 1PE
Flat 308, 25 Church Street, Manchester, M4 1PE
Shockout Academy, 25 Church Street, Manchester, M4 1PE
Flat 202, 25 Church Street, Manchester, M4 1PE
Flat 502, 25 Church Street, Manchester, M4 1PE
Flat 205, 25 Church Street, Manchester, M4 1PE
Flat 609, 25 Church Street, Manchester, M4 1PE
Flat 407, 25 Church Street, Manchester, M4 1PE
Flat 701, 25 Church Street, Manchester, M4 1PE
Flat 610, 25 Church Street, Manchester, M4 1PE
Flat 412, 25 Church Street, Manchester, M4 1PE
Flat 212, 25 Church Street, Manchester, M4 1PE
Flat 606, 25 Church Street, Manchester, M4 1PE

Flat 3, 22 Turner Street, Manchester, M4 1DZ
Flat 4, Solmame House, 7 Union Street, Manchester, M4 1PB
Flat 7, Solmame House, 7 Union Street, Manchester, M4 1PB
Flat 204, 25 Church Street, Manchester, M4 1PE
Flat 509, 25 Church Street, Manchester, M4 1PE
Flat 706, 25 Church Street, Manchester, M4 1PE
Flat 604, 25 Church Street, Manchester, M4 1PE
Flat 503, 25 Church Street, Manchester, M4 1PE
Flat 107, 25 Church Street, Manchester, M4 1PE
Flat 504, 25 Church Street, Manchester, M4 1PE
Flat 101, 25 Church Street, Manchester, M4 1PE
Flat 309, 25 Church Street, Manchester, M4 1PE
Flat 201, 25 Church Street, Manchester, M4 1PE
Flat 403, 25 Church Street, Manchester, M4 1PE
Flat 10, Solmame House, 7 Union Street, Manchester, M4 1PB
Flat 2, 22 Turner Street, Manchester, M4 1DZ
16 - 20 Turner Street, Manchester, M4 1DZ
Flat 310 To 317, Clydesdale House, 27 Turner Street, Manchester, M4 1DG
Flat 210 To 217, Clydesdale House, 27 Turner Street, Manchester, M4 1DG
Flat 806, 25 Church Street, Manchester, M4 1PE
Flat 208, 25 Church Street, Manchester, M4 1PE
Flat 805, 25 Church Street, Manchester, M4 1PE
Flat 108, 25 Church Street, Manchester, M4 1PE
Flat 209, 25 Church Street, Manchester, M4 1PE
Flat 506, 25 Church Street, Manchester, M4 1PE
Solmame House, 7 Union Street, Manchester, M4 1PB
Flat 3, Solmame House, 7 Union Street, Manchester, M4 1PB
Flat 9, Solmame House, 7 Union Street, Manchester, M4 1PB
Flat 6, Solmame House, 7 Union Street, Manchester, M4 1PB
Ground Floor, 27 Turner Street, Manchester, M4 1DQ
Flat 4, 22 Turner Street, Manchester, M4 1DZ
Flat 1, 22 Turner Street, Manchester, M4 1DZ
Flat 401 To 407, Clydesdale House, 27 Turner Street, Manchester, M4 1DG
Flat 110 To 117, Clydesdale House, 27 Turner Street, Manchester, M4 1DG
Flat 603, 25 Church Street, Manchester, M4 1PE
Flat 211, 25 Church Street, Manchester, M4 1PE
Flat 111, 25 Church Street, Manchester, M4 1PE
Flat 104, 25 Church Street, Manchester, M4 1PE
Flat 607, 25 Church Street, Manchester, M4 1PE
Flat 305, 25 Church Street, Manchester, M4 1PE
Flat 206, 25 Church Street, Manchester, M4 1PE
Flat 401, 25 Church Street, Manchester, M4 1PE
Flat 802, 25 Church Street, Manchester, M4 1PE
24 Turner Street, Manchester, M4 1DZ
Flat 5, Solmame House, 7 Union Street, Manchester, M4 1PB
Flat 1, Solmame House, 7 Union Street, Manchester, M4 1PB
5 Union Street, Manchester, M4 1PB
27 Turner Street, Manchester, M4 1DQ
Muslim Youth Foundation, Ground Floor, Clydesdale House, 27 Turner Street, Manchester, M4 1DY
Flat 201 To 209, Clydesdale House, 27 Turner Street, Manchester, M4 1DG
Flat 310, 25 Church Street, Manchester, M4 1PE
Flat 505, 25 Church Street, Manchester, M4 1PE
Flat 402, 25 Church Street, Manchester, M4 1PE

Flat 301, 25 Church Street, Manchester, M4 1PE
Flat 307, 25 Church Street, Manchester, M4 1PE
Flat 704, 25 Church Street, Manchester, M4 1PE
Flat 703, 25 Church Street, Manchester, M4 1PE
Flat 608, 25 Church Street, Manchester, M4 1PE
Flat 602, 25 Church Street, Manchester, M4 1PE
Flat 110, 25 Church Street, Manchester, M4 1PE
Flat 404, 25 Church Street, Manchester, M4 1PE
Flat 210, 25 Church Street, Manchester, M4 1PE
Flat 301 - 309, Clydesdale House, 27 Turner Street, Manchester, M4 1DG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Smithfield Conservation Area 1987
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL