

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137419/FO/2023

Date registered valid: 28 June 2023

Proposal: Provision of access ramp, hard and soft landscaping, bin and bike storage and associated works.

Address: Land To The East Of The Junction Of Blossom Street And Gun Street, Manchester, M4 5AW

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Scott Newton Dragonfly Contracts Ltd

Agent (if any): Mr Ralph Taylor Paul Butler Associates

Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22/11/2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 7 July 2023 Expired: 28 July 2023

Neighbour notifications

Printed: 7 July 2023 Expired: 28 July 2023

Site notice

Posted: 10 July 2023 Expired: 31 July 2023

Press advert

Published: 18 July 2023 Expired: 1 August 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the area of hard standing that serves no16 Blossom Street and is bound by the junction where Gun Street intersects with Blossom Street. The site provides rear access to no16 Blossom Street and is bound by herras fencing. No16 Blossom Street is currently unoccupied but was last in use as a premises for the provision of education with ancillary office space (Class F1(a)).

Listed building: Not applicable

Conservation area: Ancoats Conservation Area 1989

Tree Preservation Order: Not applicable

Description of area

The neighbouring area forms that of the Ancoats Conservation Area. Ancoats is recognisable for its former mill buildings completed in red brick, with traditional warehouse windows. Blossom Street forms one of the principal entry points to the Ancoats Conservation Area, with it providing access to Cutting Room Square to the north. Gun Street is considered to be a secondary road that provides servicing space to the buildings that line Great Ancoats Street. Blossom Street has seen extensive redevelopment since the commencement of ongoing regeneration works within Ancoats, with the street's southern end being visually dominated by modern mixed use tower blocks at no11 and no13 Blossom Street and no57 Great Ancoats Street. Older more historic buildings are still present within the southern end of Ancoats in the form of no17 Blossom Street and no16 Blossom Street. Gun Street is then largely populated by modern buildings, with neighbouring uses comprising of a variety of residential flats (Class C3(a)) and commercial retail and office space (Class E). The materiality of both Gun Street and Blossom Street are varied, with red brick, grey brick and contemporary cladding being present within the street scene.

Description of development

The application seeks consent for the provision of an access ramp, bin and bicycle storage and hard and soft landscaping measures.

The proposed works would see the removal of the site's existing harras fencing and tarmac finish. In it's place a set of granite steps and a concrete surface ramp would be constructed. The proposed steps would be orientated so that they would face directly onto Gun Street. The proposed ramp would run from south-east to north-west providing accessible entry. The side elevation of the raised access ramp on Blossom Street would be completed in reclaimed brick, with cast iron railings coloured black.

Adjacent to the access ramp would be a concealed bin store that would be incorporated into the access ramp. The bin's side elevation would be finished in reclaimed red brick to match the side elevation of the access ramp, timber cladding would then be utilised on it's front elevation and south-eastern facing side elevation. The store would also feature a green sedum roof. Landscaping measures in the form of grasses, shrubs and flowers are proposed along the access ramp.

Proposed cycle storage facilities and an accessible car parking space are proposed to the front of site. Pavement improvement works would also see the loss of the existing tarmac pavement along Gun Street, with it proposed to be replaced by stone pavings.

Planning History

138276/AO/2023 - Installation of painted advertisement mural and 2no non-illuminated steel plaque signs – Application pending consideration.

105355/JO/2014/N1 - Variation of condition 5 attached to previously approved application 104439/FO/2013/N1 to allow a variation in the approved hours of operation to 7.30 to 21.00 Monday to Friday and 10.00 to 17.00 on Saturdays – Approved May 2014.

106852/JO/2014/N1 - Application to vary condition 2 (specified plans) and remove condition 7 (gas membrane) attached to previously approved application 104439/FO/2013/N1 to allow for variation to previously approved entrance extension and canopy – Approved November 2014.

104439/FO/2013/N1 - Change of use from Use Class B8 to Use Class D1 (education and training) with ancillary offices (Use Class B1) together with associated works including extension to south west corner of building to create new student entrance and elevational alterations to include new vehicle loading bay and windows – Approved February 2014.

Consultations & Notification Responses

Environmental Health – No objection subject to conditions relating to the submitted construction management plan, demolition/construction hours, a lighting strategy, waste storage provision and EV charging point provision.

Greater Manchester Police – No objection. Proposed plant species should be low growing to prevent areas being concealed from view.

Highways – No objection subject to a condition relating to cycle parking provision and an informative relating to section 278 works.

Manchester City Council Flood Risk – No objection subject to an informative relating to site drainage.

United Utilities – No objection received.

Publicity – None received.

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 CC5 – Transport
- Policy CC9 – Design and Heritage
- Policy EC4 – North Manchester
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy EN14 – Flood Risk
- Policy EN15 – Biodiversity and Geological Conservation
- Policy EN17 – Water Quality
- Policy EN19 – Waste
- Policy DM1 – Development Management

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

- Policy DC18 – Conservation Areas
- Policy DC26 – Development and Noise

National Planning Policy Framework (NPPF)

- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Other Legislative Requirements

National Planning Policy for Waste

Planning (Listed Buildings and Conservation Areas) Act 1990

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. Once the Places for Everyone Plan is adopted it will form part of Manchester’s development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council’s Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The Plan and its policies must therefore be given significant weight in the planning balance. Relevant policies to the proposal are show below:

- Policy JP-P2 – Heritage
- Policy JP-S5 – Flood Risk and the Water Environment
- Policy JP-G9 – A Net Enhancement of Biodiversity and Geodiversity

Issues

Principle of Development

The application would see the installation of access and landscaping works within the City Centre. As the proposal would not see a material change of use in the application site and primarily concerns the cosmetic appearance of the site, it is considered the proposal is acceptable in principle and in accordance with Core Strategy Policies SP1, CC1, EC4 and DM1, subject to the matters discussed below.

Visual Amenity

The application site is a piece of hard standing lined by heras fencing located on a prominent street corner, previously used as a car park/rear yard. When compared to neighbouring development, the application site represents a gap in the street scene, with it's use of cheap materials and lack of visual interest detracting from the visual amenity of the local area. The proposed development in contrast is considered would bring visual interest to the site, giving the site a more active use. The removal of herras fencing and tarmac, and it's subsequent replacement with high quality materials would improve the appearance of the site, with the proposed finish being more sympathetic to that of neighbouring development. A materials schedule has accompanied the proposal and confirms the usage of granite, sandstone and clay pavers which is supported. Additionally, the use of landscaping measures is considered would also further improve the appearance of the site, with it partially concealing the proposed ramp structure and softening the rear elevation of no16 Blossom Street. Therefore, subject to a condition that would require the development to proceed in accordance with the materials noted on the approved plans/documentation, it is considered that the proposal is acceptable in this regard and therefore accords with Core Strategy Policies EN1 and DM1, and the National Planning Policy Framework.

Impact upon Heritage Assets

Section 72(1) of the Listed Buildings and Conservation Areas Act relates to conservation areas and states "In undertaking its role as a planning authority the Council should in respect to conservation areas pay special attention to the desirability of preserving or enhancing the character or appearance of that area".

As previously stated within this report, the application site lies within the Ancoats Conservation Area. Designated in 1989, the Ancoats Conservation Area is noted for it's wealth of Victorian mill buildings and its links to the industrial revolution, where a juxtaposition and inter-linking of

manufacturing, transport and residential uses meant that Ancoats functioned as the first industrial estate in the world.

As existing the application site is an area of hard standing paved in tarmac secured by herras fencing. The use of low quality materials in the site's finish, it's semi-disused nature and it's highly visible position, leads to it detracting from the appearance of the Ancoats Conservation Area. The use of high quality materials is considered would improve the appearance of the application site and the formalisation of the site as an access for no16 Blossom Street would give the site an active use, thereby leading it to contribute positively to the local street scene. The proposed materials are considered would positively respond to the material pallet of the wider conservation area, this being reclaimed brick, natural stone/granite, clay pavers and cast iron railings.

On this basis it is considered that the proposal would see the introduction of an access ramp and associated landscaping measures that would compliment the broad design principles and historic features of the Conservation Area at the expense of the loss of a dis-used car park/area of hard standing. On this basis, it is considered the proposal would enhance the setting and appearance of the Ancoats Conservation Area, and is thus in accordance with Core Strategy Policies CC9, EN1, EN3 and DM1, Saved Unitary Development Plan Policy DC18, Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity

The neighbouring area, as previously stated within this report, does feature a high number of residential flats situated on the western side of Blossom Street in the upper floors of no11 and no13 Blossom Street, as well as no57 Great Ancoats Street to the south. The proposed use is considered would not generate such a high level as noise as to warrant a refusal. The submission has been accompanied by a construction management plan (CMP) that states how noise, vibrations and dust will be controlled during construction. Environmental Health do not object to the proposal upon amendment of the submitted CMP. Within their consultation response Environmental Health stated that in the event of an approval the development should be carried out in accordance with the submitted CMP, that construction and demolition hours be controlled and that a scheme for external lighting be submitted to and approved in writing by the Local Planning Authority. As the proposed hours of work are put forward under the submitted CMP, it is not considered reasonable to separately condition the proposed hours of construction and demolition. Subject to conditions that would see the development proceed in accordance with the submitted CMP and a condition that would require the submission of a lighting strategy, the proposal is acceptable with regard to it's impact on residential amenity and is therefore in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

Ecology and Landscaping

The application site as existing is an area of hard standing devoid of vegetation. Due to this, as well as the application site being located within the heart of the urban area, it is considered the site is of minimal ecological value. The proposed landscaping measures would see the introduction of a mix of low lying shrubs and grasses. Through their introduction it is considered the proposal would achieve a biodiversity net gain on site. Subject to a condition that would require if any of the landscaping measures die, fail, or are removed or destroyed prior to five years from the completion of the development then they shall be replaced by a plant of the same species and size. Subject to such a condition it is considered the proposal is acceptable from this perspective and is thus in accordance with Core Strategy Policy EN15, Places for Everyone Plan Policy JP-G9 and the National Planning Policy Framework.

Flood Risk

The application site is located in Flood Zone 1 where the risk of flooding is lowest. The site is entirely comprised of hard standing and as such it is not considered the proposal would be likely to have a noticeable impact on its permeability. No objection has been received by United Utilities. Manchester City Council Flood Risk do not object to the proposal subject to an informative which would notify the applicant that they should design and construct a drainage system that would prevent increased risk of flooding. Subject to such an informative it is considered the application is acceptable in this regard and is therefore in accordance with Core Strategy Policies EN14 and EN17, Places for Everyone Plan Policy JP-S5 and the National Planning Policy Framework.

Highway Safety

The application site is located within the City Centre in a highly sustainable location in walking distance of public transport links and local amenities. The development would see the loss of the site as an informal car park. Notwithstanding this, it is considered that due to the highly accessible nature of the application site, that this impact on local parking capacity would not be so great as to warrant a refusal. It is noted that an accessible car parking space and cycle storage facilities would be provided on site as part of the proposed works. Environmental Health have requested that an EV charging point be provided on site for the proposed parking space. Due the absence of an appropriate location to mount a charging point one has been unable to be provided on site. Highways do not object to the proposal but do note that the cycle storage facilities be secured and that they be included in the travel plan for the approved educational use at no16 Blossom Street. As the aforementioned travel plan was approved as part of a separate permission and the education use approved has now ceased operation (Originally approved under application 104439/FO/2013/N1 and then subsequently amended under applications 106852/JO/2014/N1 and 105355/JO/2014/N1), it is considered appropriate to relay this request to the applicant via informative rather than condition it as part of any approval. Highways within their consultation response also stated that the proposal involves works that would require a section 278 agreement and as such the applicant should be notified about this by way of informative. Subject to conditions that would require the provision and retention of the proposed parking space and cycle storage facilities, as well as informatives relating to the aforementioned travel plan and section 278 works, it is considered the proposal is acceptable in this regard. The proposal is therefore in accordance with Core Strategy Policy CC5 and the National Planning Policy Framework.

Waste Management

As previously, noted within this report, a bin store would be provided on site that would be located adjacent to the proposed access ramp. The proposed store would be large enough to accommodate 2no 1100 litre bins, collections would then take place from Gun Street/Blossom Street. Environmental Health and Highways do not object to this arrangement. Subject to a condition that would see the provision and retention of the proposed store, it is considered that the development would be acceptable with regards to waste management and is thus in accordance with Core Strategy Policy EN19 and the National Planning Policy for Waste.

Conclusion

In light of the above it has been found the proposal is in accordance with Core Strategy Policies SP1, CC1, CC5, CC9, EC4, EN1, EN3, EN14, EN15, EN17, EN19 and DM1, Saved Unitary Development Plan Policy DC18 and DC26, the National Planning Policy for Waste, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is therefore recommended for approval.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included ongoing advice that has resolved the issues associated with the proposal.

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:

- o Location Plan (Received 28/06/2023)
- o 2303-XX-GF-DR-L-001 Revision PO7: Site Layout (Received 02/10/2023)
- o 2303-XX-GF-DR-L-002 Revision P04: Sections (Received 28/06/2023)
- o 2303-XX-GF-DR-L-004 Revision P02: Elevations (Received 03/10/2023)

- o 2303-XX-GF-DR-L-005 Revision P01: Planting Plan (Received 28/06/2023)
- o 2303-XX-GF-DR-L-006 Revision PO2: Drainage Plan (Received 28/06/2023)
- o 2303-XX-GF-DR-L-009 Revision DO1: Construction Details - Bin Store (Received 02/10/2023)
- o 2303-XX-GF-DR-L-011 Revision PO2: Blossom St Proposed Wall, Indicative Elevations and Details (Received 13/11/2023)
- o Materials Schedule (Received 13/11/2023)

Reason - 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.

3) Prior to the commencement of any above ground works samples and specifications of all material to be used in the finish of the development shall be submitted to and approved writing by the Local Planning Authority. The approved materials shall then be implemented as part of the development.

Reason - To secure a satisfactory detailed development in accordance with the provisions of Manchester Core Strategy Policies SP1 and DM1 and the National Planning Policy Framework.

a) Prior to the commencement of above ground works an external lighting shall be designed and installed in accordance with a scheme that shall be submitted to and approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties. The development shall then proceed in accordance with the approved details.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

5) The landscaping measures as shown on drawing no.2303-XX-GF-DR-L-005 Rev P01 shall be implemented prior to the occupation of the development and be retained thereafter. If within five years of the date of the completion of the development any tree or shrub is removed, uprooted, destroyed, fails, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in its place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

6) The development hereby approved shall be implemented in accordance with the submitted Construction Management Plan prepared by Dragonfly Contracts Ltd (Dated & Received 24/08/2023) and shall be adhered to for the entirety of the construction phase of the development.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

7) The refuse storage facilities as shown on the approved plans shall be made available for use prior to the occupation of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health in accordance with Core Strategy Policy DM1 and the National Planning Policy for Waste.

8) The cycle storage facilities as shown on the approved plans shall be implemented and made available for use prior to the occupation of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of promoting sustainable forms of transportation to and from the application site in accordance with Core Strategy Policies CC5 and DM1, and the National Planning Policy Framework.

Informatives

1) The development hereby approved will require the applicant to enter into a Section 278/184 agreements for the alterations to the existing footway on Gun Street. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

2) The proposed cycle storage facilities hereby approved shall be incorporated into the travel plan required to be discharged under application 106852/JO/2014/N1.

3) The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN14 & EN17 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC

13A Blossom Street, Manchester, M4 5AF

Flat 52, 13 Blossom Street, Manchester, M4 5AF
Flat 51, 13 Blossom Street, Manchester, M4 5AF
Flat 50, 13 Blossom Street, Manchester, M4 5AF
Flat 49, 13 Blossom Street, Manchester, M4 5AF
Flat 48, 13 Blossom Street, Manchester, M4 5AF
Flat 47, 13 Blossom Street, Manchester, M4 5AF
Flat 46, 13 Blossom Street, Manchester, M4 5AF
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Flat 10, 13 Blossom Street, Manchester, M4 5AF
Flat 9, 13 Blossom Street, Manchester, M4 5AF
Flat 8, 13 Blossom Street, Manchester, M4 5AF

Flat 7, 13 Blossom Street, Manchester, M4 5AF
Flat 6, 13 Blossom Street, Manchester, M4 5AF
Flat 3, 13 Blossom Street, Manchester, M4 5AF
Flat 5, 13 Blossom Street, Manchester, M4 5AF
Flat 4, 13 Blossom Street, Manchester, M4 5AF
Flat 2, 13 Blossom Street, Manchester, M4 5AF
52 Henry Street, Manchester, M4 5DD
50 Henry Street, Manchester, M4 5DD
Flat 1, 13 Blossom Street, Manchester, M4 5AF
First Floor, 16 Blossom Street, Manchester, M4 5AW
16 Blossom Street, Manchester, M4 5AW

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Ancoats Conservation Area 1989
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL