

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138220/FO/2023
Date registered valid:	12 October 2023
Proposal:	Change of use of building to accommodate dog daycare centre (sui generis), including the installation of 2 metre high boundary treatment
Address:	124 Longley Lane, Manchester, M22 4SP
Ward(s):	Northenden Ward
Applicant:	Miss Emma Billington, Daycare4Dogs
Agent (if any):	Miss Kelly Paddick, Euan Kellie Property Solutions Limited
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7 December 2023



Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 16 November 2023

Standard consultations:

Printed: 17 October 2023 Expired: 7 November 2023

Neighbour notifications

Printed: 17 October 2023 Expired: 7 November 2023

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/area

This application relates to 124 Longley Lane, a light industrial building located within the Sharston Industrial Estate. It comprises of circa 1,300m² of floorspace, mostly at ground floor level but with a mezzanine level located at the front part of the building. The building was most recently occupied by Siltint, a precision engineering firm who undertook light industrial activities at the premises.

The surrounding building comprises a mix of industrial and commercial uses. On the opposite side of Longley Lane there are residential properties, located on Bronington Close, with the closest property (no. 11) located circa 67 metres away from the front of the site. Also located on the opposite side of Longley Lane, directly opposite the site, is the Longmire Centre, which is an Adult Education Centre and a children's day nursery. The property is accessed directly from Longley Lane.

Listed building: No

Conservation area: No

Tree Preservation Order: No

Description of development

The applicant is proposing to use the property as a dog day-care centre. The applicants have operated on Sharston Industrial Estate since 2007. Firstly on Leestone Road (082414/FU/2007) and currently from their site on Bradnor Road (108170/FO/2015/S2). As the lease on the latter is soon to expire the applicants are looking to relocate to 124 Longley Lane.

Consultations & Notification Responses

Local Residents – Four letters of objection have been received from local residents, the comments are summarised as follows:

- The area already experiences problem with parking associated with the existing units on the industrial estate, this would exacerbate the situation.
- Staff parking and dog drop-off and collection would add to the congestion and parking issues.
- Barking dogs would have an impact on residential amenity.
- The parking on Bronington Close is already a big problem, this proposal is only going to add to the nuisance and sometimes dangerous parking on Bronington Close.

Northenden Civic Society – No comments received.

Cadent Gas Ltd – No objections to the proposal.

Environmental Health – Suggests the imposition of a number of conditions designed to protect residential amenity and public health.

Highway Services – Have made the following comments:

- The relocation of the business will not result in any expansion of operations as the two premises has a similar floor area.
- The survey recorded the number of people accessing the facility, mode of travel used and recorded location of vehicle parking, dropping off and collection. The survey found that no vehicle associated with the site (parking, drop-off or collection) used on-street parking, but used the car park.
- Although it is noted that a maximum of 5 parking spaces is required to accommodate customer drop-off / collection and a maximum of 4 spaces to accommodate staff parking demand. Sufficient space is available on site to meet the parking demands.
- The proposal will provide 4 staff parking spaces and 5 drop-off bays (including one disabled bay). Highways are satisfied that the proposed parking provision will meet the development demand levels and the combination of the existing TRO on Longley Lane will ensure that vehicles do not park on-street.
- The TfGM database has been reviewed for the most recent five-year period. The site area covers Longley Lane, Harper Road and Sharston Road. The analysis shows that over the five-year period there has been no recorded incidents. Based on this assessment Highways have no concerns about highway safety issues within the vicinity of the site.
- Overall, Highways are satisfied with the proposed parking provision it is accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.
- The application states that a total of 8 cycle spaces will be provided. This is acceptable to Highways.
- Drawing 'SK22364-002 / Swept Path Analysis Refuse Collection Vehicle' demonstrates that a large refuse vehicle can enter, manoeuvre and exist the site in forward gear. This is acceptable to Highways.

Policies

The National Planning Policy Framework (September 2023) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable

development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, the most relevant of which 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. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Community safety and crime prevention.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Flood risk and drainage.

Policy EC2, *Existing Employment Space* – States that the Council will seek to retain and enhance existing employment space and sites.

Policy EC10, *Wythenshawe* – Advocates support for development involving economic development and job creation particularly within existing industrial areas such as Sharston Industrial Estate.

Saved UDP Policy DC26, “Development and Noise” – Policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a) the effect of new development proposals which are likely to be generators of noise; and
- b) the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Policy DC26.2 states that new noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

Issues

Principle of the Proposal – There is no objection in principle to this type of use within the Sharston Industrial Estate given the fact the applicants originally operated out of Leestone Road in 2007 and from 2015 at their current base on Bradnor Road. The applicants are only moving to this unit given the ending of the lease from their current location.

Furthermore, the proposed use is broadly compliant with the overarching Core Strategy Policy EC10 which seeks to support employment generating uses in Wythenshawe, particularly within existing industrial areas. It is noted that this proposal would employ 16 people (FTE).

Residential Amenity – The main concerns of the objectors relate to noise generated by the use, i.e. barking dogs and disturbance from the comings and goings of staff and customers.

In terms of barking dogs, given the findings of the submitted acoustic report and the applicants' Operational Management Strategy, the latter of which outlines their “no barking policy”, it is not believed that disturbances associated with barking would be of such a level so as to prove unduly detrimental to the existing levels of residential amenity enjoyed by the occupants of the nearest dwellings.

Given the travel patterns of customers and the modes of transport used by staff, it is not anticipated that the residential streets opposite Sharston Industrial Estate would be inundated with traffic associated with the day-care use. Accordingly, it is not believed that the comings and goings of staff would negatively impact upon existing residential amenity levels.

The proposal would not lead to any overlooking of those dwellings nearest the site.

Notwithstanding the above, while it is not anticipated that the proposal would have an unduly detrimental impact upon existing levels of residential amenity, it is considered prudent to attach the several acoustic insulation conditions suggested by Environmental Health, as well as conditions limiting hours of use and deliveries.

Visual Amenity – The proposal would not have a detrimental impact upon the levels of visual amenity enjoyed along this section of Longley Lane.

Car Parking – Given the travel patterns of customers and the modes of transport used by staff Highway Services have confirmed that the level of car parking (nine spaces) to be provided is considered acceptable.

Two of the parking spaces are annotated as having vehicles charging units, a condition is suggested which would require the applicant to submit the technical information for these units.

Pedestrian and Highway Safety – Given the anticipated traffic movements associated with the proposal, it is not considered that the proposal would have a detrimental impact upon the levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Ecology – The applicant has submitted a bat survey which concluded that the building has:

‘Low’ bat roosting suitability... ..due to the number of potential roosting features identified

The survey also concluded that the proposal:

...is not considered to be a risk of injuring and/or killing bats or disturbing/destroying a known bat roost as a result of the proposed works. As such, Natural England European Protected Species License (EPSL) is not required to be obtained prior to any works being completed on the building.

Notwithstanding the above, the submitted survey does suggest the installation of a number of bat boxes as bio-enhancements and this would be subject to a planning condition. The level of provision is considered acceptable.

Boundary Treatment – The applicant is proposing to install 2 metre high weld mesh fencing following removal of the existing palisade fencing. As weld mesh fencing is more secure and aesthetically pleasing than palisade fencing there is no objection in principle to the use of this type of boundary treatment. A condition would be imposed requiring the applicant to submit elevational details of the proposed fencing.

Refuse Storage – A condition is suggested which would require the applicant to submit a detailed Waste Management Strategy for all waste streams. This approach is considered acceptable in this instance.

Drainage – The proposal change of use does not raise any drainage issues.

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 to resolve any matters 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 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 received on 29 September 2023:

- a) Location plan
- b) 2288-PL-EX-000 LOCATION PLAN
- c) 2288-PL-PR-001 REV 4 PROPOSED SITE PLAN
- d) 2288 -PL-PR-100 REV 4 PROPOSED GROUND FLOOR PLAN
- e) 2288 -PL-PR-100 REV 4 PROPOSED FIRST FLOOR & MEZZ PLAN
- f) 2288 -PL-PR-102 REV 4 PROPOSED ROOF PLAN
- g) Preliminary Bat Roost Assessment and Nocturnal Bat Survey Report (Collington Winter Environmental)
- h) Operational Management Strategy

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The premises shall not be open outside the following hours:-

Day care

Monday to Friday: 0700 to 1900hrs

Saturday: 0700 to 1900hrs

Sunday/Bank Holiday: 0700 to 1900hrs

Dog Hotel (overnight stays)

Monday to Friday: 1900 to 0700hrs
Saturday: 1900 to 0700hrs
Sunday/Bank Holiday: 1900 to 0700hrs

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

Monday to Saturday - 0730 to 2000hrs,
Sundays/Bank Holidays - no deliveries/waste collections

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

5) Prior to the commencement of the use hereby approved, a schedule for the use of the external areas shall be submitted to and approved in writing by the City Council as local planning authority. Thereafter, the external areas shall only be used in accordance with the approved schedule.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

6) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

7) a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part 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, pursuant to Policy DM1 in the Manchester Core Strategy.

8) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Policy DM1 in the Manchester Core Strategy.

9) Prior to the commencement of the use hereby approved, details of the biodiversity enhancements referred to in Section 4.2 of Preliminary Bat Roost Assessment and Nocturnal Bat Survey Report (Collington Winter Environmental), received on 29 September 2023, including a timetable for their installation and maintenance regime, shall be submitted to and be approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

10) Prior to the commencement of the development hereby approved, details of the proposed fencing, along with its location, shall be submitted to and be approved by the City Council as Local Planning Authority. The development shall then be implemented and thereafter maintained in accordance with the approved details so long as the use is in operation.

Reason - To ensure the satisfactory redevelopment of the site and in the interests of visual amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

11) Prior to the commencement of the development hereby approved, details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points shall be submitted to and be approved by the City Council as Local Planning Authority. The approved charging point shall be provided prior to first occupation and retained thereafter.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

Informatives

1) Informative for Condition no. 7 - The Waste Management Strategy must include the following information:

- a) Estimated volumes and types of waste produced by the development;
- b) Details of internal and external stores for both waste and recycling;
- c) Location of the proposed collection point and details of the route the collection vehicle will take;
- d) Details of how waste will be transferred between stores and to the collection location; and
- e) Details of number and capacity of bins proposed and collection frequency.
- f) Other details as per 'Waste Proforma v1.0' - refer to guidance at:

http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy

All waste streams need to be accounted for.

Appendix 1 – List of consultees & neighbours notified

Cadent Gas Ltd
Highway Services
Environmental Health
Corporate Property
Northenden Civic Society
Northenden Village Partnership

Unit 1A, Harper House, 124A Longley Lane, Manchester, M22 4SY
24 Bronington Close, Manchester, M22 4ZQ
6 Bronington Close, Manchester, M22 4ZQ
149A Longley Lane, Manchester, M22 4LA
Unit 5, Harper House, Harper Road, Manchester, M22 4RG
VFM Auto Service Centre, Harper Road, Manchester, M22 4RG
Unit 1, Harper House, 124A Longley Lane, Manchester, M22 4SY
Unit 7, Harper House, Harper Road, Manchester, M22 4RG
Sharston Adult Education Centre, 181 Longley Lane, Manchester, M22 4JG
145A Longley Lane, Manchester, M22 4LA
Unit 6A, Harper House, Harper Road, Manchester, M22 4RG
Unit 6B, Harper House, Harper Road, Manchester, M22 4RG
Harper House, Harper Road, Manchester, M22 4RG
Unit 2, Harper House, Harper Road, Manchester, M22 4RG
Unit 3, Harper House, Harper Road, Manchester, M22 4RG
Ground Floor, Harper House, Harper Road, Manchester, M22 4RG
Wylex Works, Sharston Road, Manchester, M22 4RA
Electrium Sales Ltd, Wylex Works, Sharston Road, Manchester, M22 4RA
122 Longley Lane, Manchester, M22 4SY
147A Longley Lane, Manchester, M22 4LA
143A Longley Lane, Manchester, M22 4LA
141A Longley Lane, Manchester, M22 4LA
139 Longley Lane, Manchester, M22 4LA
13 Bronington Close, Manchester, M22 4ZQ
12 Bronington Close, Manchester, M22 4ZQ
Unit 4, Harper House, Harper Road, Manchester, M22 4RG
147 Longley Lane, Manchester, M22 4LA
143 Longley Lane, Manchester, M22 4LA
18 Bronington Close, Manchester, M22 4ZQ
7 Bronington Close, Manchester, M22 4ZQ
9 Bronington Close, Manchester, M22 4ZQ
5 Bronington Close, Manchester, M22 4ZQ
14 Bronington Close, Manchester, M22 4ZQ
16 Bronington Close, Manchester, M22 4ZQ
10 Bronington Close, Manchester, M22 4ZQ
4 Bronington Close, Manchester, M22 4ZQ
2 Bronington Close, Manchester, M22 4ZQ
3 Bronington Close, Manchester, M22 4ZQ
149 Longley Lane, Manchester, M22 4LA
145 Longley Lane, Manchester, M22 4LA
137A Longley Lane, Manchester, M22 4LA
141 Longley Lane, Manchester, M22 4LA
1 Bronington Close, Manchester, M22 4ZQ
20 Bronington Close, Manchester, M22 4ZQ
15 Bronington Close, Manchester, M22 4ZQ

11 Bronington Close, Manchester, M22 4ZQ
8 Bronington Close, Manchester, M22 4ZQ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - Wythenshawe PD Restriction - Class B1(c) To C3

Article 4 Direction - Wythenshawe PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA