

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136737/FO/2023

Date registered valid: 12 June 2023

Proposal: Erection of extension, together with associated elevational alterations, in connection with subdivision of existing building to create 5 cash and carry units (sui generis).

Address: Werner House, 76 Sherborne Street, Manchester, M8 8HT

Ward(s): Cheetham Ward

Applicant: Mr Singh

Agent (if any): Mr Subhan Saleem

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 July 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 14 July 2023

Standard consultations:

Printed: 28 June 2023 Expired: 19 July 2023

Neighbour notifications

Printed: 28 June 2023 Expired: 19 July 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

The application site relates to a detached, two storey, flat roof, 'L' shaped building, currently in partial use as a fashion focused wholesaler.



View of application site from Sherborne Street

The premises incorporates a shop frontage to one part of the building which incorporates full height, display windows to the ground and first floor. Some of the windows to southern elevation have been brick up and give the building a poor-quality appearance.

To the front, is a small, roughly surfaced servicing area, enclosed by metal railings, with vehicular access onto Sherborne Street.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is situated within the warehouse district of Cheetham, as identified by the Strangeways Local Plan and saved policy CC10 of the Unitary Development Plan. The immediate area is dominated by various wholesale uses and general industrial buildings, comprising low-rise buildings with large floor plates.

In terms of the immediate surroundings, the immediate area includes buildings of a comparable scale, occupied by businesses centred around warehousing, storage and the distributive trades.

Diagonally opposite the site to the north-east and on other side of Sherborne Street is Cheetham Park. Beyond this, the area becomes more residential in character.

Description of development

Planning permission is sought for a two-storey extension to the existing building over an existing forecourt/servicing area, together with associated elevational alterations in connection with subdivision of existing building to create a total of 5 cash and carry units (sui generis).

The proposal would replace one vacant two storey unit along with two units on the ground floor and first floor. The proposal would create space for three two-storey units and two smaller units - one on the ground floor and one on the first floor No off-street parking or servicing is proposed.

Internally, a communal waste store and cycle storage area is proposed, accessed directly via the Sherborne Street frontage.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health – Conditions are recommended in relation to ground conditions, waste management, external equipment, hours of use and construction management.

Highways Services – Comments can be summarised as follows:

-No concerns about highway safety issues within the vicinity of the site.

-In comparison to the former use, the level of trips are anticipated to increase slightly as the proposed extension will provide additional commercial space, however it is noted that this increase is not great and as such Highways have no concerns.

-Access from Sherborne Street will be retained for pedestrians, cyclists and vehicles Each unit will have access fronting Sherborne Road. The existing forecourt at the front of the site from Sherborne Road will be removed as part of the proposals and therefore there is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. It is noted that on-street parking does occur along Sherborne Street and many of the existing properties do not

have off-street parking. It is requested that the now redundant dropped kerbs be reinstated. This should be undertaken via a S278 agreement at the applicant's expense.

-4 secure and sheltered cycle spaces will be provided within the curtilage of the site. This is acceptable.

-It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. It is requested that all entrances have inward opening doors to ensure they do not impact on the adopted footway or highway. The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

-A refuse storage area is noted within the site. This will replace the existing practice which is currently on-street and impinging on pedestrian movements. The proposed in-sight curtilage is acceptable.

-Deliveries will be taken directly into the units from their entrances on Sherbourne Street as per the existing arrangements.

-A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policies CC10 and DC26 of the Unitary Development Plan for the City of Manchester;
- Policies DM1, SP1, EC1-EC3, T2, EN3 and EN14-19 of the Manchester Core Strategy;
- Strangeways Local Plan;
- The Guide to Development in Manchester (SPD);
- National Planning Policy Guidance;
- National Planning Policy Framework (NPPF).

Planning History

130402/FO/2021

Elevational alterations in connection with the subdivision of the building to create 4 cash and carry units (sui generis). *Approved 14 March 2022.*

Issues

Principle

The proposed development relates to a brownfield site within the 'warehouse district' - an area which Development Plan policy supports a high degree of economic activity and contributions to the employment function of the area.

It is considered that the proposed development will improve the appearance and function of a building in a poor exterior condition and would make best use of an underused external area in

a locality where the principle of wholesale uses is considered entirely acceptable and consistent with neighbouring land uses.

Saved Policy CC10 of the UDP also encourages the continued high level of economic activity in Strangeways and lower Cheetham Hill Rd areas, recognising particularly the needs of the wholesale trades which dominate these areas.

Given the overarching policy context, it is considered that the general principle of the proposed use would be acceptable in this location, although other issues surrounding amenity, design, environmental issues, servicing and the impact on the highway also need to be considered.

Specific planning issues are outlined further below.

Design, Scale and Appearance

The scale of the proposed extension matches that of the host building and is of a comparable scale to that of neighbouring buildings and a warehouse opposite. The extension and resultant development would therefore respond appropriately and sympathetically into the immediate street-scape and due to the design and relationship with neighbouring buildings, no material impact to neighbouring occupiers would result in terms of any over-dominance, overshadowing or overlooking.

The fenestration and window proportions would reflect that of the existing principal shop frontage and would provide continuity to the street-scene. A combination of glazing, matching brickwork and cladding is proposed to mirror the design of the existing frontage and would create a lightweight, transparent frontage.. The exact specification of the materials is to be agreed by way of a planning condition.

Given the immediate context and the relationship of the proposed structure with neighbouring buildings, the proposed development is considered acceptable in terms of its design, scale and appearance.

Residential Amenity

This part of Cheetham is dominated by similar, businesses and is identified within policy as being suitable for such businesses.

Due to the detached position of the nearest residential neighbourhood to the north, the existing use of the site and the context of the site's immediate surroundings, it is not believed that there would be any significant, adverse effect upon the living conditions of nearby occupiers in terms of increased activity and any associated noise and disturbance. Conditions have been included in relates to daytime hours of operation and servicing hours.

Visual Amenity

The existing building is of little architectural merit and typical of the commercial area in which the site is located. The proposed extension and new frontage would add transparency to the building and enliven the main frontage to the benefit of visual amenity. It is not believed there would be any undue impact to the character of the building or the wider street-scene.

A condition has been included to ensure external materials are of a satisfactory appearance and quality.

An informative has also been included to ensure that the applicant is aware that any new signage or advertisement is likely to require separate advertisement consent.

Waste Management

The general principle of the proposed waste management arrangements is considered acceptable.

A communal, internal waste is proposed to the front centre of the building. Whilst Highways are satisfied with the collection arrangements from the kerbside and Environmental Health are satisfied with the proposed area and general arrangements, it is considered further capacity would be required for pulvable waste, given the nature of the use, as wholesaling tends to create a lot of packaging. As such, a condition has been included which requires an updated strategy to detail increased storage capacity for pulvable waste.

Impact to the Highway

Saved Policy CC10 relates specifically to the Cheetham employment area and whilst it recognises the economic importance of wholesaling in the area, it advocates that permission should only be granted where proposals incorporate sufficient parking and servicing for their own needs.

In this case, the principal impact to the highway will be as a consequence of servicing requirements, as the proposed floorspace is for storage and trade purposes and not for walk-in general public customers.

The application has been accompanied by a Transport Statement which provides details of a parking survey and an assessment of vehicular trips.

The trip generation forecast has been calculated using the industry standard TRICS database. This calculates that the additional units proposed would not generate any detectable AM or PM peak flows, but suggests that the anticipated additional space of 309 sqm would result in a maximum of 3 two-way trips between 10:00 - 17:00 and a daily total of 32 trips. Over the course of the day the maximum number of new two-way movements in an hour is 3, which equates to one movement every 20 minutes. The assessment also notes that the potential parking demand for the extension with the highest hourly value would be 3 vehicles.

Highways consider that the modest increase in parking demand could be accommodated on street without giving rise to any material impact upon the operation of the highway network.

Further, Highways have reviewed the anticipated trips for the whole of the site 432 sqm which again indicates no obvious AM or PM peak flow, but an anticipated maximum of 4 two-way trips between 10:00 - 17:00 and a daily total of 45 trips.

It is believed that in comparison to the existing use, whilst the level of trips is anticipated to increase slightly as the proposed extension will provide additional commercial space, the impact to the operation of the networks would be less than significant.

It is considered that sufficient unrestricted on-street car parking is available along Sherborne Street is available to satisfy any demand and that that the number and frequency of vehicular movements is unlikely to have a harmful impact upon highway safety or the operation of the surrounding highway network.

Whilst in-curtilage servicing is preferable, the proposed on-street, kerbside arrangement is acceptable in this case, given deliveries/collection are likely to be made using vans and as the frequency and number of trips is not likely to be significant.

Although the proposed extension would result in the loss of an existing forecourt/servicing areas, due to its size, vehicular manoeuvrability is already difficult and is not presently used. The contribution to the economic activity in the area and the uplift to the appearance of the building is considered to outweigh any impact to the highway, which is not considered material.

As such, it is anticipated that additional movements and parking demand can be absorbed with no significant impact in terms of traffic accumulation or capacity constraints.

To ensure staff have a choice means of travel other than by private car, 4 cycle parking spaces are proposed. This level of provision is considered satisfactory.

In order to ensure the continuity of the adjoining footway along Sherborne Street and to improve the appearance of the site, a condition has been included which requires the reinstatement of the redundant vehicle crossover, along with the resurfacing/reinstatement of the footpath required as part of a S.278 agreement.

Climate Change

Whilst it is acknowledged that there will be some localised impact upon air quality during construction, this will be short lived and through appropriate mitigation via the submission and agreement of a Construction Management Plan, any impact upon local air quality can be managed and minimised. This should include mitigation measures in relation to dust suppression, maintaining the site, the use of water to dampen dust, the covering of loose material and suitable waste management.

In terms of operational impact, given the modest level of vehicular trip generation proposed, it is considered unlikely that the proposed development would result in a significant change in air quality because of vehicular emissions.

Ground Conditions

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new development. Based on the advice of the Environmental Health, whilst the Phase 1 study is considered acceptable, a condition has been included which requires the submission and approval of a detailed site investigation report and any subsequent remediation strategy prior to the commencement of development. A further condition requires the submission and agreement of a verification report.

Construction Management

In order to ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area, air quality or the operation of the highway, a condition has been included which requires the submission and approval of a Construction Management Plan. This will need to detail working practices, safety measures, dust suppression, the parking of construction vehicles and the removal of waste.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in 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 and documents:

Drawings referenced 1/A received by the City Council as Local Planning Authority on 13 April 2023 and drawings referenced 5/A, 6/A, 7/A, and 8/A received by the City Council as Local Planning Authority on 12 June 2023.

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) Prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Parking of construction vehicles;
- Wheel washing facilities; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved Construction Management Plan.

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

4) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the approved details.

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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

5) Prior to the installation of any roller shutters, full details of the proposed roller shutter specification, including colour, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved details and retained thereafter.

Reason - In the interests of visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

6) No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be constructed and completed in accordance with the approved details.

Details shall include:

- A finalised drainage layout showing all components, outfalls, levels and connectivity;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable; surface water should be restricted to a rate of 5 l/s;
- An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;
- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;

-Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change;

-Assessment of overland flow routes for extreme events. Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

-For sites where proposed development would cause pollution risk to surface water, evidence of pollution control measures (preferably through SuDS) is required.

-Hydraulic calculation of the proposed drainage system;

-Construction details of flow control and SuDS elements.

Reason - 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 EN17 of the Manchester Core Strategy.

7) The development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the City Council as Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A verification report providing photographic evidence of construction as per design drawings;

-As built construction drawings if different from design construction drawings;

- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

8) Any externally mounted ancillary plant or equipment shall be selected and/or acoustically insulated in accordance with a scheme designed so as to achieve a rating noise level of 5dB (LAeq) below the existing background (LA90) at the nearest noise sensitive location. Details of the scheme should 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 prior to installation of any plant. The approved scheme shall be fully implemented prior to first use and in accordance with the details agreed and a verification report shall be submitted and approved in writing in order to validate the works undertaken conform to the requirements within the report.

Reason - To safeguard the amenities of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

9) None of the units hereby approved shall be open outside the following hours:

09.00 to 17.00 hrs daily.

Reason - To safeguard amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

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

07.30 to 20.00 hrs Monday to Saturday.

No Deliveries, servicing and all collections, including waste collections shall take place on Sundays and Bank Holidays.

Reason - To safeguard the amenities of nearby residential occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

11) Prior to occupation of the development hereby approved, full details of all necessary off-site highway works, to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

-The reinstatement of any redundant vehicle crossovers adjacent to the application site, along with the resurfacing/reinstatement of associated footway;

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation. The development shall only be occupied in accordance with the agreed works.

Reason - In the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

12) No part of the development hereby approved shall be occupied until the space and facilities for bicycle parking have been provided in accordance with the details indicated on drawing referenced 6/A, received by the City Council as Local Planning Authority on 12 June 2023. The approved space shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

13) The development hereby approved shall be carried out in accordance with the details contained within the submitted Phase 1 Environmental Assessment Report, produced by Enviro Solutions dated 22 May 2023 (Ref: ES02579 V1), received by the City Council as Local Planning Authority on 28 May 2023.

No development shall commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as Local Planning Authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) shall be submitted to and approved in writing by the City Council as Local Planning Authority.

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 policies EN18, DM1 and SP1 of the Manchester Core Strategy.

14) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised 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 Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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 policies DM1 and EN18 of the Manchester Core Strategy.

15) Notwithstanding details submitted, no above ground development shall commence until a more detailed scheme for the storage (including segregated waste recycling) and disposal of refuse, has been submitted to and approved in writing by the City Council as Local Planning Authority. 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 - Further details of pulpable waste capacity is required and in the interests of amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

16) For the avoidance of doubt, none of the units hereby approved shall be used for retail sales (Use Class E).

Reason - To ensure the premises are used for wholesale purposes only, pursuant to saved policy CC10 of the Unitary Development Plan for the City of Manchester.

Informatives

1) It is advised that all external fittings are to 'Secured by Design' standards.

2) Please note, separate advertisement consent may be required for fascia level sign or any other signage. Please contact the City Council as Local Planning Authority for further advice prior to the installation of any signage or advertisements.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management

Unit E, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit D, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
74 Sherborne Street, Manchester, M8 8HU
Unit 1G, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1F, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1C, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1B, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
Unit 1A, Sherborne Street Trading Estate, Sherborne Street, Manchester, M8 8LR
First Floor, Werner House, 76 Sherborne Street, Manchester, M8 8HT
Ground Floor, Werner House, 76 Sherborne Street, Manchester, M8 8HT

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA