

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138200/FO/2023

Date registered valid: 9 October 2023

Proposal: Erection of two storey side and first floor rear extension to create warehouse space (Class B8).

Address: 1 Derby Street, Manchester, M8 8QE

Ward(s): Cheetham Ward

Applicant: Mrs Jessica Chang, JC Wholesale

Agent (if any): Mr Paul Davies, [PS]K Design Ltd

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

Recommendation: Approve

Date of recommendation: 9 November 2023

Application details

Type of application: Full Application Consent

Development type: Major Industry

Date of site visit: 27 October 2023

Standard consultations:

Printed: 12 October 2023 Expired: 2 November 2023

Neighbour notifications

Printed: 12 October 2023 Expired: 2 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

The application site relates to a large, vacant, part single, part two-storey, flat roof building previously in use as a wholesale warehouse for the storage and distribution of linen, situated at the corner of Derby Street and Red Bank. The intention is to resume the previous operation. and utilise the redundant space to the St. Thomas' Place elevation at first floor level.



View from Redbank

The rendered building is of an unkempt, dilapidated appearance and incorporates rows of rectangular windows along the main Derby Street and Red Bank elevations at both ground and first floor levels, with the ground floor roller shuttered. Roller shuttered service access point/loading bays are located along both the Derby St and St. Thomas' Place elevations.

To the rear of the building fronting St. Thomas' Place is a raised, unenclosed, concrete and brick plinth now overgrown and previously used for servicing, accessed via a ramp off Derby Street. A metal fence separates the plinth from the footway.



View from Redbank and junction with St. Thomas' Place

The rear of the building incorporates a steel frame following a partial implementation of a previous planning permission, for which work subsequently ceased.

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. The immediate area is dominated by various wholesale uses and general industrial buildings with large floor plates, including a vehicle repair garage opposite. A short distance to the north-east is HMP Strangeways.

Description of development

Planning permission is sought for the erection of two storey side and first floor rear extension to create additional warehouse space (Class B8). The proposed works involve building over the existing servicing area to provide a new, integral servicing bay at ground floor level with a new roller shuttered access at ground floor level.

The application follows the approval of planning permission referenced 114765/FO/2016 for the erection of a two-storey rear extension and first floor rear extension and the withdrawal of the application referenced 125569/FO/2019 relating to the erection of a two-storey side and first floor rear extension to create additional storage and display area (Class B8) together with elevational alterations and new access ramp,

The previous application was withdrawn due to concerns about the servicing arrangement. The present application seeks to address this concern.

As is the case with the host building, no off road parking is proposed.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services - The site is bound to the north by Derby Street, St Thomas' Place to the south, and Red Bank to the east, all of which are adopted highways with no Traffic Regulation Orders (TROs) in place. The surrounding area comprises predominantly storage, warehousing and distribution uses.

Trip Generation - The trip generation assessment provided within the submitted Transport Statement (TS) shows an overall reduction in trips as the existing first-floor office use and ground-floor warehousing (B8). This is based on the assessment of two separate/individual businesses with office uses traditionally providing a higher peak-hour period trip rate. As it is unclear whether each floor previously operated in this manner, Highways has undertaken a trip generation assessment by applying the AM/PM warehousing total trip rates to the proposed 636sqm increase in floor area. This shows that the proposals would result in an additional 3 trips during both assessment periods. Highways therefore accept that the proposed increase in floor area is unlikely to lead to a significant increase in vehicle trips.

Site Accessibility - The area is well served by sustainable modes with regular bus services routed along Cheetham Hill Road to the west providing connections into the city centre. Rail and Metrolink services are located within walking distance of the site at Manchester Victoria Station. Although the site is noted to be located in an accessible location, the surrounding highways can experience high levels of on-street parking demand associated with the mixed-use area, comprising various light industrial, warehousing and distribution uses together with Manchester Central Gurdwara.

Parking and Access - There is no dedicated off-street parking provision associated with the site and therefore vehicles are anticipated to park on-street on unrestricted surrounding roads. Whilst it is observed that the adjacent highways are heavily parked, Highways accept that the increase in floor area would not generate a significant level of additional on-street parking demand based on the trip generation assessment.

Cycle Parking - Plans show internal cycle parking provision for 4no. bicycles at ground-floor level. This level of provision aligns with Core Strategy policy.

Servicing - Two designated waste stores are proposed at ground-floor level with refuse servicing proposed at Derby Street. Both businesses must ensure that such bins are not placed onto the footway for extensive periods to await/awaiting servicing. Proposals include the retention of an existing internal loading bay which is accessed off Red Bank which will be utilised by Panel Van/Sprinter Panel Van type vehicles. Sufficient swept-path assessment has been provided

A framework Servicing Plan is appended to the Transport Statement. It is requested that a Delivery and Servicing Management Plan is conditioned to any approval in order to ensure that all deliveries are made by appropriately sized vehicles which can utilise the dedicated loading bay and to ensure coordination of deliveries between both units.

Off Site Highway Works - No highways works are proposed as part of the application. Highways request that redundant vehicle access points at Derby Street and St Thomas' Place are reinstated as continuous footway. A short section of dropped kerb will also be required at Derby

Street to facilitate Euro-bin refuse servicing. It is recommended that this is supported by a H-bar to maintain clearance given high levels of on-street parking demand. The above works will need to be implemented in accordance with MCC construction standards and undertaken through a Section 278 Agreement, to be funded at the expense of the applicant.

Boundary Treatment - The applicant should confirm any boundary treatments that are proposed around the perimeter of the site in conjunction with the new construction works.

Travel Plan - A Framework Travel Plan has been submitted to encourage and promote sustainable transport modes in the area. It is recommended that the implementation of a full Travel Plan is conditioned with any approval.

Construction Management - It is recommended that a detailed Construction Management Plan is provided by the applicant prior to any construction works beginning

Environmental Health – A condition relating to external plant equipment is advised.

Planning History

127194/FO/2020

Erection of first floor extension to create additional floorspace (Class B8) together with elevational alterations, new bin store and alterations to the servicing area. *Approved 14 July 2020.*

117819/JO/2017

Variation of condition 3 (specified plans) attached to planning permission referenced 114765/FO/2016 to allow elevational alterations. *Approved 11 December 2017.*

114765/FO/2016

Erection of a two-storey rear extension and first floor rear extension in association with the existing wholesale cash and carry (Sui Generis Use). *Approved 21 April 2017.*

098145/FO/2011/N1

Change of use from one warehouse (B8) to two wholesale cash and carry warehouses (sui generis), with associated external and internal alterations. *Approved 29 February 2012.*

064416/FU/NORTH1/02

Change of use from light industrial (B2) to health club (sui generis) at first floor level. *Approved 24 May 2002.*

Policy

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

- Policies DM1, SP1, CC1, EC1, EC2, T2, EN19 of the Core Strategy;
- Saved policy CC10 of the Unitary Development Plan;
- Strangeways Local Plan;
- The Guide to Development in Manchester (SPD);
- Places for Everyone (Consultation Draft);

- National Planning Policy Framework (NPPF).

Issues

Principle

The principle of wholesale cash and carry uses or improvements to them is considered entirely acceptable in this location.

Development plan policy and in particular, the Strangeways Local Plan, recognise the site as being within the warehouse district and therefore further businesses which support economic growth in the area are generally welcomed.

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 and distribution 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 design, amenity, servicing and car parking also need to be considered.

Residential Amenity

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

Given the existing authorised use of the building and due to the detached position from the nearest residential properties, together with the commercial 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. Any impact can be mitigated through the use of planning conditions to control hours of use, waste management and servicing arrangements. Conditions have therefore been imposed in this regard.

The building backs onto another commercial premises at the rear, separated by yard areas. As there are no windows opening at first floor level and boundary treatment would screen ground floor openings, there would be no material impact in terms of any overlooking.

Visual Amenity

The existing building is presently vacant and of a dilapidated appearance. Windows are broken and the rendered exterior has become stained and unsightly. This together with the roller shuttered frontage, incomplete construction projects and evidence of fly tipping around the curtilage of the site, results in a site that has a detrimental impact upon visual amenity and the appearance of the street-scene.

The proposed scheme would facilitate the re-use of the building and would upgrade the exterior is considered to be of a positive impact and will not only uplift the appearance of the building to the benefit of visual amenity but will also enliven the frontage along Derby Street and Red Bank respectively.

The proposed extension mirrors the scale and mass of the existing building and would reflect other nearby buildings which are of a similar design and scale. The proposed extensions and

resultant building would therefore satisfactorily assimilate into the surrounding and neighbouring urban fabric without any significant, adverse impact.

Highway Issues

Saved Policy CC10 relates specifically to the Cheetham area of Manchester which recognises the economic importance of employment generating uses in the area, but also advocates that permission should only be granted where proposals incorporate sufficient parking and servicing for their own needs. This policy is principally reflected in policies DM1, T2 and SP1 of the Core Strategy which seeks to ensure that new developments provide adequate parking and servicing arrangements.

The immediate area does suffer from on-street parking pressures and whilst it is acknowledged that surrounding roads suffer from congestion, it is not considered that the proposed increase in floorspace and marginal increase in the number of staff would give rise to a significant, detectable impact upon the highway in terms of trip generation and parking demand, particularly given the existing authorised use of the building within the same use. It is further considered that the limited increase in floorspace and the incorporation of an integral servicing area would limit the impact upon the highway. Highway raise no objection to the revised proposal.

The reconfiguration of the servicing area would allow servicing to take place off the highway and given the anticipated low number of servicing movements and through the implementation of a servicing management plan (included as a planning condition), it is not believed that there would be a significant impact upon the operation of the adjoining highway.

To ensure the new waste management access off Derby Street is kept clear, Highways recommend the inclusion of a 'H' bar marking across the access. The applicant has agreed to this measure and an appropriate planning condition has been included accordingly.

To mitigate any impact upon on-street parking, particularly demand caused by associated staff, conditions have been included with which require the submission and approval of a travel plan and the inclusion of cycle parking provision. It is believed that such measures and the potential availability of on-street provision on the unrestricted, surrounding roads coupled with the highly accessible nature of the site will result in limited impact.

Waste Management

The proposed development includes a bin storage area within the curtilage of the site for the required number of receptacles, including recycling arrangements. The bins are to be moved via a dedicated access point onto Derby Street at the time of collection and collected by a private waste contractor. The arrangement is considered satisfactory.

Surface Water Drainage – An 'informative' been included to ensure that the proposal incorporates a scheme for surface water drainage.

Climate Change

Given the modest increase in floorspace proposed, and the associated level of vehicular trips, it not considered that there would be significant change in air quality as a consequence of vehicular emissions given the busy, commercial context of the site and existing, authorised operations.

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 matters

It is recommended that a condition of the planning approval is included to prevent subdivision of the building without planning permission, in order to prevent an over intensive use of the premises through the operation of multiple businesses.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

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

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

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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:

Location Plan and drawings referenced P0605-PSK-XX-ZZ-D-A-001001/P2, P0605-PSK-XX-ZZ-D-A-220302/P2, P0605-PSK-XX-ZZ-D-A-220301/P2, P0605-PSK-XX-01-D-A-220102/P4, P0605-PSK-XX-RL-D-A-220103/P2, P0605-PSK-XX-RL-D-A-220103/P2 and P0605-PSK-XX-00-D-A-220101/P4, received by the City Council as Local Planning Authority on 27 September 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) Notwithstanding details submitted, 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 materials.

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 Manchester Core Strategy.

4) Notwithstanding details submitted, the extension hereby approved shall not be occupied until a Delivery and Servicing Management Plan has been submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented as part of the development and remain in situ so long as the use or development is in operation.

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

5) The development hereby approved shall only be implemented in accordance with the waste management details shown on drawing referenced P0605-PSK-XX-00-D-A-22010/P5 and within the accompanying waste management strategy, received by the City Council as Local Planning Authority on 27 September 2023 and 9 October 2023 respectively. 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. No bins shall be stored outside the curtilage of the application site, other than on the day of collection.

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

6) No part of the extension shall be occupied until space and facilities for bicycle parking have been provided in accordance with details shown on drawing referenced P0605-PSK-XX-00-D-A-22010/P5 received by the City Council as Local Planning Authority on 27 September 2023. The approved space and facilities 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.

7) 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.

8) Prior to the commencement of development, a construction management plan outlining working practices during development and demolition 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;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; 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.

9) The development hereby approved shall not be occupied until there has been submitted to and approved in writing by the City Council as Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected to the service yard. The boundary treatment shall be completed prior to the servicing area becoming operational. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

10) Notwithstanding details submitted, before the extension hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development

- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy.

11) Notwithstanding details submitted, prior to the installation of any roller shutters, full details 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.

12) Prior to first 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 shall be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

- Reinstatement of the footway adjacent to the site along Derby Street and St. Thomas' Place, in place of redundant vehicle crossovers;
- Provision of a dropped kerb along Derby Street to facilitate Euro-bin refuse servicing;
- Provision of a 'H' bar marking across the dropped kerb servicing access along Derby Street.

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.

13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building shall not be further subdivided to form additional units.

Reason - To prevent an over-intensive use of the site, pursuant to Policies SP1 and DM1 of the Manchester Core Strategy

Informatives

- 1) Any new signage or advertisement may require separate advertisement consent. Please contact the City Council as Local Planning Authority for further advice in advance of signage installation.
- 2) The applicant should design and construct a surface water drainage system to prevent the increased risk of flooding to improve and protect water quality and ensure future maintenance of the surface water drainage.
- 3) It is advised that any new external fittings should be certified to Secured by Design standards.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

Christian Mana Church, Beauty Line House, 1A Derby Street, Manchester, M8 8QE
Interdelta, Beauty Line House, 1A Derby Street, Manchester, M8 8QE
Sisco, Beauty Line House, 1A Derby Street, Manchester, M8 8QE
Land At The Junction Of Collingham Street And North Street, North Street, Manchester, M8 8RQ
Upper Ground, 62 Red Bank, Manchester, M8 8RG
Unit 2 Lower Ground, 62 Red Bank, Manchester, M8 8RG
Unit 1 Lower Ground, 62 Red Bank, Manchester, M8 8RG
Unit 1, 2 Collingham Street, Manchester, M8 8RQ
5 - 7 St Thomas' Place, Manchester, M8 8QD
2 Collingham Street, Manchester, M8 8RQ
63 Red Bank, Manchester, M8 8RD
1 North Street, Manchester, M8 8RE
16 Derby Street, Manchester, M8 8RW
First Floor, 1 Derby Street, Manchester, M8 8QE
Ground Floor, 1 Derby Street, Manchester, M8 8QE

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA