

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137041/FO/2023
Date registered valid: 22 June 2023
Proposal: Change of use of ground floor to laundrette (sui generis).
Address: 668 Rochdale Road, Manchester, M9 5TT
Ward(s): Harpurhey Ward

Applicant: Mr Falowo Olanbampe
Agent (if any): Mr Talat Zeria HSH Engineering Design Service
Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 21 August 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 13 July 2023

Standard consultations:

Printed: 29 June 2023 Expired: 20 July 2023

Neighbour notifications

Printed: 29 June 2023 Expired: 20 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: NO

Description of Site/Area

The application site relates to a vacant commercial unit located on the ground floor of a three-storey building within the Harpurhey ward of North Manchester. The building lies within a parade of 10 commercial ground floor units, with some having residential uses above. The surrounding area is predominantly residential in nature.

Description of Development

The submitted application seeks planning permission for the change of use of ground floor to a laundrette (sui generis).

The proposed hours of operation are Monday to Saturday 08:00 to 21:00 and Sunday/Bank Holiday 09:00 to 18:00

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representations were received.

The Highways Team-Raised no objection to the proposal subject to a cycle parking condition be attached to the consent.

Environmental Health- Raised no objection to the proposal subject to the following conditions to be attached to the consent; hours of operation, noise attenuation, external plant and equipment noise and refuse, and the restricting of servicing hours.

Issues

Policy

NPPF (2021)

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.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
- iii. Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- o creating well designed places,
- o making a positive contribution to health, safety and well-being,
- o considering the needs of all members of the community, and
- o protecting and enhancing the built and natural environment.

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development including road safety and traffic generation. Consideration will also be given to the appropriateness of the site layout, scale form, massing and materials.

Unitary Development Plan for the City of Manchester (Saved Policies). The below saved policies of the Unitary Development Plan are considered relevant:

Policy DC26 - seeks to reduce the impact of noise generating development. The Council will consider the effect of new development proposals and the implications of new development being exposed to existing noise sources. Developments likely to result in unacceptably high noise levels will not be permitted
For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Issues

Principle

The property is located within a parade of commercial premises. It is therefore considered that the proposed use would be acceptable in principle , subject to consideration being given to impacts to residential amenity.

Residential Amenity -The unit is located within an area of mixed uses , with a largely residential area to the south and east, and the Harpurhey District Centre further to the north beyond Christ Church Harpurhey and a health centre . The proposed change of use relates to the ground floor of the premises which is located within a parade which comprises ground floor commercial uses, with residential flats directly above, on the first and second floors. It is considered that these upper floor flats would be the most susceptible to any noise breakout that may result from the operation of the equipment in the laundrette.

It is considered that in order to safeguard the amenity of occupiers at the upper floors above at this address and adjacent properties , a condition to ensure the premises is acoustically insulated and treated to limit the breakout of noise in accordance with a noise study of the premises and a scheme of acoustic treatment is recommended to be attached to any approval. The submitted acoustic report (Central Air and Sound Testing, undated), has been undertaken for building regulations purposes to determine the acoustic properties of the floor/ceiling between the proposed launderette and the residential accommodation above and the walls between the commercial units. The report does not give any information on the resulting noise levels in the adjacent properties which would be expected as part of a noise survey. It is therefore, recommended that submission of acoustic details form part of a condition to be attached to any approval .

The submitted acoustic report (Central Air and Sound Testing, undated) has been examined. The report has shown that the proposed extraction fan (Helios Extraction Fan Model DL400) would meet the recommended criteria for external plant. As such part a) of the standard external plant condition has been complied with. However, should a different fan be installed an addendum report will be required. Therefore, an external plant and equipment condition is proposed to be attached to any consent.

Subject to the conditioned approach outlined above , it is believed that there would not be any undue significant impact from noise upon the amenity levels currently enjoyed by occupants.

The proposed hours of opening on Mondays to Saturdays 08:00 to 21:00 and Sundays/Bank Holidays 09:00 to 18:00, would further mitigate any adverse impacts on residential amenity due to noise and are considered appropriate within a residential area.

It is also considered that the hours of operation are in keeping with other units within the parade of shops, and it is not considered that it would have a more adverse impact upon the amenities of local residents. It is however, proposed that the hours of operation being sought are conditioned to ensure the safeguarding of amenity of residents in the future .

In light of the above and given the context of the site it is believed that the proposed use of the site, together with the planning conditions, would prevent any significant adverse impact upon residential amenity.

On balance, it is considered that the amenity of residents would not be adversely affected as to warrant refusal in this location, therefore complying with policy DM1 of the Core Strategy and saved policy DC26 of the UDP.

Visual Amenity- There are no external alterations are proposed to the building however due to the nature of the use there would be a small extraction fan attached to the rear of the building. Any signage is likely to require a separate applicant for advertisement consent.

Car parking/servicing - Highways have stated that the proposed development is unlikely to be dissimilar to that of previous experienced under retail use, with trips likely to be of a short-stay nature.

It is understood that there is no on-site car parking and therefore all visitors will contribute to ongoing demands on-street, as per the existing arrangement under retail use. Given there is layby parking available in front of the parade of commercial premises, this is considered acceptable.

Refuse Storage - Some details with regards to refuse have been provided however it is considered that additional information is required to ensure the waste provision for the site is acceptable and does not cause harm to amenity. This information includes: bin sizes, location plan showing external store. A condition is therefore recommended to be attached to any approval to require the submission of this information and that the approved scheme is fully implemented prior to the first use of the laundrette to ensure no significant impacts on the amenity of local residents arise.

Conclusion - The proposed development would make a positive impact within the parade of shops that would bring a vacant unit back into use and is not considered to give rise to unacceptable impacts in terms of the amenity of the area.

The proposals therefore accords with the principles of Core Strategy policies DM1 and saved UDP policy DC26.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

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:

03 A and 04A, stamped as received on the 16 August 2023 and The Location Plan, stamped as received on the 22 May 2023 and drawing number 06A , stamped as received on the 21 August 2023 and the revised Design and Access Statement, stamped as received on the 12 July 2023 and the Noise Assessment by Central Air and Sound Testing, stamped as received on the 28 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 Core Strategy.

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

Monday to Saturday 08:00 to 21:00

Sunday/Bank Holiday 09:00 to 18:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP policy DC26.

4) a) The premises shall be acoustically insulated and treated to limit the breakout of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented in full before the use commences.

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 acoustic 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 agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP policy DC26.

5) 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 - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

6) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to cycle storage. The approved scheme shall be implemented upon first occupation of the development and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and highway safety pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

7) 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 policies SP1 and DM1 of the Core Strategy.

8) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP policy DC26.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

2 Oak Bank, Manchester, M9 5YA
666 Rochdale Road, Manchester, M9 5TT
670A Rochdale Road, Manchester, M9 5TT
670 Rochdale Road, Manchester, M9 5TT
Flat 26, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 25, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 6, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 5, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 4, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 3, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 2, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 1, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 24, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 27, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 23, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 22, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 21, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 20, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 19, Palladium House, 1 Oak Bank, Manchester, M9 5YL
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Flat 15, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 14, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 13, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 12, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 11, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 10, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 9, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 8, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 7, Palladium House, 1 Oak Bank, Manchester, M9 5YL
668A Rochdale Road, Manchester, M9 5TT
Flat 29, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Flat 28, Palladium House, 1 Oak Bank, Manchester, M9 5YL
Cohens Chemist, 664 Rochdale Road, Manchester, M9 5TT
24 Coniston Avenue, Manchester, M9 5UP
22 Coniston Avenue, Manchester, M9 5UP
20 Coniston Avenue, Manchester, M9 5UP

Appendix 2 – Planning constraints

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
Area Team Boundary - Name: NORTH AREA