

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136448/FO/2023

Date registered valid: 9 March 2023

Proposal: Installation of a new pitched roof, which raises the height of the building; elevational alterations consisting of the rendering of all the external walls, the installation of replacement doors and windows; creation of first floor balcony area with balustrading and privacy screen to front of the building.

Address: Xenon House , 10 School Lane, Manchester, M20 6RD

Ward(s): Didsbury East Ward

Applicant: Mr Matt Dillon La Salle Corporate

Agent (if any): Mr Steven Mellor William McCall

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4 May 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 25.04.2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 22 March 2023 Expired: 12 April 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 property that is the subject of this application is a detached commercial unit which is located at the junction of School Lane and Williams Street. The property is identified as 10 School Lane and is known as Xenon House. The building has previously been used as a retail unit with ancillary offices and storage. The property itself is 2 storey predominantly with a single storey apron element to the front elevation of the unit. It is enclosed by fencing which encloses a private car parking area to the forecourt frontage, with servicing areas to the side and rear. It materially comprises of red brick work with elements of grey cladding. The roof is of a pitched construction formed of grey profile sheeting. There are various sized windows in all four elevations, with main fenestration being in the front and eastern elevations.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is a mix of residential and commercial, being in close proximity to Didsbury district centre. Public Houses, restaurants and public car parks are situated to the north and west of the site along School Lane. To the rear is a large power station building and to the east a four storey residential apartment block called Shapley Court. There are also residential properties on Stephens Terrace and Kings Lynn Close.

Description of development

The proposal is for the raising of the roof including creating a new pitch, elevational alterations consisting of the rendering of all the external walls, the installation of replacement doors and windows; and creation of first floor balcony area with balustrading and privacy screen to front of the building.

The relevant planning history is as follows:

111075/AO/2016/S2 - Installation of an internally illuminated 3 metre high freestanding sign - Approved 18 Mar 2016
110912/FO/2015/S2 - Erection of two storey side extension, elevational alterations and alterations to roof including an increase in its overall height in connection with the use of the building as retail (Class A1) and associated offices - Approved 31 May 2016
102284/LE/2013/S2 - Certificate of Lawful Use for Existing Use as Solicitor's Office (A2) - Approved 04 Jun 2013
101383/FO/2013/S2 - Change of Use from vacant solicitors (Class A2) to Office (Use Class B1)/Physiotherapy Clinic (Use Class D1) - Approved 18 Mar 2013
062810/FO/SOUTH2/01 - Formation of a 7 space car park with access from William Street - Approved 07 Nov 2001.

The building has historically been in use as a retail store for musical instruments, however this has ceased to trade. The proposed use of the property will be a combined use with a small production bakery to the ground floor and offices to the first floor, both of these classes sit within Class E as did the previous retail use.

Consultations & Notification Responses

Local residents were informed- One letter supporting the re-use of the building has been received, however they also had some reservations as to whether the open terrace to the first floor would create any loss of privacy and whether the raising of the roof would result in the loss of light to the residential properties on Stephens Terrace.

Policies

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11 th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant Core Strategy policies for this application are as follows:

SP1 - Spatial Principles

DM1 - Development Management 1

C2 - District Centres

C6 - South Manchester District Centres

NPPF

' For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.

Issues

Principle - The principle of a new pitched roof together with the raise in the height of the roof is considered acceptable, as are the elevational alterations. These include rendering of the external elevations and creation of a small terrace to the roof of the ground floor. However, consideration must be given to the proposals scale and massing and impact upon existing levels of residential and visual amenity.

Scale and massing - The building currently has a shallow dual pitched grey profile sheet covered roof and the proposed alterations to the roof will include an increase to its height and shape. The overall increase in the height of the roof is 1.17 metres and the changes include providing a hipped roof design on the westerly side and a gable design on the easterly side. The roof space created by the height increase would be used as office storage. By hipping the roof

at the end of the building closest to the residential properties on Stephens Terrace it reduces the bulk and massing towards that common boundary. The height is then focussed on the School Lane/ William Street elevation.

Design- The design is considered acceptable. The roof is currently made up of a corrugated sheet finish, and it is the intention to replace this with grey tiles, this assimilates better with the surrounding properties. The elevations are currently a mix of multi brown/ red brick and cladding. This is to be replaced by a colour through K render which will provide a more solid and attractive finish. The windows in the existing elevations comprise of small horizontal windows surrounded by cladding and brickwork which presents a dated elevation. The introduction of more glazed panels provides a more contemporary and attractive elevation. There is a reduction in the number of windows in the rear elevation, with the 2 side elevations containing the same number of windows in the same location, with the same contemporary approach taken to the other fenestration.

Proposed Uses- The previous use sits within the updated Use Class of Class E. The new uses of the building will be split between a bakery to the ground floor, and office use and ancillary storage to the first floor. Both of these uses are included with Use Class E and as such do not require planning permission by way of a change of use and the imposition of hours restrictions would not meet the tests of reasonableness in this instance as there are no existing hours conditions attached to the property nor its lawful use.

The application has shown the proposed hours of the ground floor bakery to be midnight to 15:00 pm, and the office use to the first floor to be 0:800 am to 18:00 pm.

There is a small terrace to be created on top of the ground floor flat roof apron front building. A condition restricting its hours of use will be attached to any consent granted.

Residential Amenity- It is not considered that the proposals would have a detrimental impact upon the level of amenity currently enjoyed by the occupants of the neighbouring properties. However, given the close proximity of the residential accommodation in the form of the houses on Stephens Terrace, it is considered appropriate to restrict the use of this external space to the following hours Monday to Friday 10:00 am to 17:00 pm. This is to ensure that the residents of the closest properties on Stephens Terrace do not suffer from Residential disamenity as a result of noise associated with the use of the external terrace. There is also 1.8 metre high black aluminium meshed privacy panelling proposed to the end of the terrace at it's closest point to Stephens Terrace. This is to ensure that there are no issues with regards to loss of privacy for the occupants of those properties. The design of the increase in the roof height sees a hipped roof at the Stephens Terrace end of the building and a gable to the school lane/ William Street elevation.

There are no windows proposed in the first floor side elevation facing onto Stephens Terrace, with the windows being to the ground floor as existing.

Visual Amenity- The property is currently a dated unattractive building sitting at a prominent junction within Didsbury Village. The proposed changes would result in a more attractive development at this key location, providing a visual uplift. It brings a vacant building back into use with minor intervention. It is not considered that the proposal would have a detrimental impact upon the character of the building, or the character of the area within which it is located.

Conclusion - It is considered on balance that the proposal complies with policies DM1, SP1, EN1 and the NPPF. Additionally it is not considered to harm the residential or visual amenity of the area, and brings back into productive use a redundant building.

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, there were no issues requiring revisions and the application has been determined in a timely manner and in accordance with both national and local policy. Appropriate conditions have been attached to the end of this report.

The scheme is considered to be in accordance with the guidance contained within saved policies of the Unitary Development Plan for the City of Manchester 1995 and the Core Strategy Development Plan Document 2012.

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:

01-23-09 3 Proposed Floor Plans dated 9th March 2023

01-23-09 4 Proposed Elevations dated 9th March 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 materials to be used shall be in accordance with those referenced on the application form. The K render shall be a colour through render.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) The first floor external terrace hereby approved shall not be in use outside the following hours:

Monday to Friday 10:00 to 17:00

No use on Sundays and Bank Holidays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1, and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

The Pitcher And Piano, School Lane, Manchester, M20 0RD
Solita, 12 Warburton Street, Didsbury, Manchester, M20 6WA
Stephens Terrace, Kings Lynn Close, Manchester, M20 6WB
Apartment 11B, Shapley Court, 12 School Lane, Manchester, M20 6QX
11 Stephens Terrace, Kings Lynn Close, Manchester, M20 6WB
7 Stephens Terrace, Kings Lynn Close, Manchester, M20 6WB
5 Stephens Terrace, Kings Lynn Close, Manchester, M20 6WB
3 Stephens Terrace, Kings Lynn Close, Manchester, M20 6WB
1 Stephens Terrace, Kings Lynn Close, Manchester, M20 6WB
Apartment 8, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 5, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 35, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 32, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 30, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 29, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 26, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 24, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 22, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 2, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 18, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 15, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 12, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 10, Shapley Court, 12 School Lane, Manchester, M20 6QX
9 Stephens Terrace, Kings Lynn Close, Manchester, M20 6WB

Apartment 9, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 7, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 6, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 4, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 34, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 33, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 31, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 3, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 28, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 27, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 25, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 23, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 21, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 20, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 19, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 17, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 16, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 14, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 11A, Shapley Court, 12 School Lane, Manchester, M20 6QX
Apartment 1, Shapley Court, 12 School Lane, Manchester, M20 6QX

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 Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA